

TRUSTEES

Cathy Ulrich
Daniel Unger
Matt Wahlert

FISCAL OFFICER

Jeffrey D. Baker

ADMINISTRATOR

Jeff Weckbach

Regular Meeting of the Board of Trustees - April 23, 2024

1. **Opening of Meeting**
2. **Executive Session 6PM**
3. **Pledge of Allegiance 7PM**
4. **Meditation (Moment of Silence)**
5. **Approval of Minutes**
6. **Presentations**
 - a. Proclamation Recognizing T & C Alterations
 - b. Recognition of Class 4 of the Township Academy
 - c. Presentation on NWLSD by Amy Wells
7. **Public Hearings**
 - a. Public Hearing - Case CZC-24-1 - Zoning Text Amendment to Article 7.4.13: Group Homes for Children
 - b. Public Hearing for 2021-2023 CBDG Funding Request Change
8. **Citizens Address**
9. **Administrative Reports**
10. **Trustees' Report**
11. **New Business**
 - Public Safety**
 - a. Motion Authorizing Pay Increase and Adoption of a Wage Scale for Department of Fire and EMS Seasonal Fire Hydrant Personnel
 - b. Resolution Declaring Nuisance and Ordering Abatement
 - c. Resolution Declaring a Junk Motor Vehicle - 3645 Stone Creek Blvd. - 1 of 4
 - d. Resolution Declaring a Junk Motor Vehicle - 3663 Stone Creek Blvd. - 2 of 4
 - e. Resolution Declaring a Junk Motor Vehicle - 6948 Kellway Ct. - 3 of 4
 - f. Resolution Declaring a Junk Motor Vehicle - 11467 Pippin Rd. - 4 of 4
 - Development**
 - a. Resolution to Approve/Deny CZC-24-1 Zoning Text Amendment for Group Homes for Children
 - b. Receipt of Zoning Commission recommendation and Motion for Board of

Trustees to set a Public Hearing for May 14, 2024 for case CZC-24-2, Zoning Map Amendment requiring a Preliminary Development Plan at 9328 Pippin Road.

Administration

- a. Motion Authorizing Township Administrator to Execute an Amendment to the Coleraine Historical Society Memorandum of Understanding
- b. Motion to Amend 2021-2023 CDBG Allocation for Purchase of Speed Cushions for Sovereign Drive
- c. Motion to Authorize Township Administrator to Apply for Community Development Block Grant for 2024 - 2026
- d. Discussion - Governance Review

12. Old Business

- a. Discussion and Potential Action - 2864 Houston

13. Consent Items

- a. Contract - KZF - Zoning Resolution Amendment - \$0
- b. Contract - Pepper Construction - Change Order No. 3 - \$117.36
- c. Promotion - Full-time Firefighter/EMT - Department of Fire and EMS - Chris Billups - \$22.43 per Hour
- d. Promotion - Full-time Firefighter/Paramedic - Department of Fire and EMS - Jachyn (Jake) Laney - \$25.40 per Hour
- e. New Hire - PT Seasonal Maintenance - Public Services Department
 1. Matthew Moore - \$15/hour
 2. Benjamin Broughton - \$14/hour
 3. Jennifer Ashleman - \$14/hour
- f. New Hire - Summer Camp Counselor - Public Services
 1. Morgan Memory - \$12.50/hour
 2. Sophia Ward - \$12.00/hour
 3. Shezaiyah McKinney - \$12.00/hour
 4. Madelyn Skoumbros - \$12.00/hour

14. Fiscal Office Report

15. Executive Session – if needed

16. Adjournment

PRESENTATIONS

Department: Development

Department Director: David Miller, Director of Development

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Proclamation Recognizing T & C Alterations

Recommend ADOPTION of the Motion.

Rationale:

T & C Alterations has been a valued small business that has served many aspects of the Colerain Township community for 40 years and very worthy of special recognition.

**PROCLAMATION FOR
T&C ALTERATIONS
FOR 40 YEARS OF EXEMPLARY SERVICE
AS A SMALL BUSINESS
IN COLERAIN TOWNSHIP, OHIO**



- Whereas** T&C Alterations was started 40 years ago by Teresa & Clarence Holland in 1983 and has since been an exemplary small business in Colerain Township; and
- Whereas** Nancy Pratt took over ownership of T&C Alterations in 2013 and loves to provide a multitude of custom alteration and creative services to her customers from wedding gowns to prom dresses for local high schools to everyday wear; and
- Whereas** Nancy Pratt loves to serve her community in many other ways such as holding clothing drives, donating to teachers and police, as well as feeding and donating to schools; and
- Whereas** Nancy Pratt is respected and loved by many in the community and has a commitment to giving back and making connections with those she serves.

Be it Proclaimed that the Colerain Township Board of Trustees recognizes T&C Alterations for their long dedication and service to the Township.

Be it Resolved that in recognition of T&C Alterations for their 40 years of service in Colerain Township, the Board of Trustees hereby proclaim Tuesday April 23, 2024 as a special day of recognition for T&C Alterations to acknowledge the service and dedication this small business has brought to the residents of Colerain Township.

Cathy Ulrich
Trustee

Daniel Unger
Trustee

Matt Wahlert
Trustee

Jeffrey D. Baker
Fiscal Officer

Date: April 23, 2024

PRESENTATIONS

Department: Administration
Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal: Strategic Goal #5: Continuously Improve the Operations of the Township

Recognition of Class 4 of the Township Academy

No action is requested of the Board.

Rationale:

This was the fourth year of the Township Academy. Participants spent time with each Department, learning about the daily activities and tasks required to keep the Township operating. Participants from this class include:

- Barbara Colvin
- Michael Hardert
- Laura Meyer
- Mike Meyer
- Jeri Reddert
- Eric Reifenberger
- Diane Salvato
- Joseph Salvato
- Brandon Upchurch
- Don Wright

We want to thank our participants for spending their past several Thursday evenings with us!

PRESENTATIONS

Department: Administration

Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal:

Presentation on NWLSD by Amy Wells

No action is requested of the Board.

Rationale:

Amy Wells, Treasurer for the Northwest Local School District, will provide an update on activities of the District to the Trustees.

PUBLIC HEARINGS

Department: Development

Department Director: David Miller, Director of Development

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Public Hearing - Case CZC-24-1 - Zoning Text Amendment to Article 7.4.13: Group Homes for Children
Recommend opening the public hearing.

Rationale:

This public hearing was first held on April 9th, 2024 and then continued to today's meeting. This public hearing is required before the Trustees can take action on the proposed text amendments. A resolution to either approve or deny the text amendments is contemplated for later on in this agenda.



Staff Report:	Zoning Commission
Case #	CZC-24-1
Request:	Zoning Text Amendment
Location:	Colerain Township
Meeting Date:	February 20, 2024
Prepared by:	Justin Becker Planner/Dev. Officer

Applicant:

On February 13, 2024, the Colerain Township Board of Trustees signed Resolution 20-24 to initiate a Text Amendment on Article 7.4.13: Group Homes for Children pursuant to *ORC §519.12;(A);(I)*.

The Zoning Administration hereby presents to the Zoning Commission the proposed Text Amendments to the Colerain Township Zoning Resolution to more appropriately align the Zoning Resolution with the Township's strategic goals of continuing to provide high quality safety services.

Proposed Action:

Colerain Township Staff is proposing a Text Amendment to Article 7, 13, and 16 of the Colerain Township Zoning Resolution that would *combine* the conditions for Group Homes for Children, Adult Family Homes, and Adult Group Homes and re-designate any future applications of such to the R-7 (Multi-Family Residential) Zoning District.

Case Summary & History:

Beginning in November of 2023, a large influx of applications was being sent in to Colerain Township Planning & Zoning Staff for Group Homes for Children. Due to the encumbering nature of such applications, including but not limited to: complaints from neighbors, scheduled inspections by ODJFS, as well as the means of reviewing uses of neighboring residences within 600' of the proposed Group Home for Children, Colerain Township Staff determined that formulating a text amendment in such a manner will prove to strengthen high quality safety services in conjunction with better efficiency.

Timeline and Case History:

- December 2008: Colerain Township Staff prepared a Text Amendment to Articles 7, 13, and 16 of the Colerain Township Zoning Resolution to incorporate geographical spacing between Group Homes for Children as a means of promoting health and safety for the children, staff, and neighbors. The Text Amendment, approved by the Zoning Commission and Board of Trustees, was formally added into the Colerain Township Zoning Resolution. The approved Text Amendment was as follows:
 1. Use: Amend Table 7-1 in “**§7.2 Permitted Uses**” to clarify that Group Homes for Children shall be permitted (with certain conditions) in *all* Zoning Districts (R-1 through R-7).
 2. Conditions: Establish §7.4.13 in “**§7.4 Agricultural and Residential Use-Specific Regulations**” to certify general requirements for each applicant of a Group Home for Children to meet prior to the issuance of a Zoning Certificate. Such requirements are as follows:
 - a. All buildings in which a Group Home for Children is established shall be residential in character.
 - b. Each Dwelling Unit in which a Group Home for Children is established shall be deemed to be a separate Group Home for Children.
 - c. A Dwelling Unit in which a Group Home for Children is established shall not be closer than 600’ to the next Dwelling Unit used as a Group Home for Children.
 3. Parking Requirements: Amend Table 13-1 in “**§13.3.2 Required Number of Spaces**” to clarify that each Group Home for Children shall incorporate one (1) space per employee on shift of maximum employment and two (2) visitor’s spaces.
 4. Definitions: Amend “**§16.2 Definitions**” to certify that Group Homes for Children shall have the meaning as in Chapter 5101 of the Ohio Administrative Code, and which functions as a single Housekeeping Unit.

Proposed Sections of the Colerain Township Zoning Resolution Text to Amend:

Colerain Township Trustees request to amend the Colerain Township Zoning Resolution text to better address the following Uses, Conditions, Parking Requirements, and Definitions:

1. Use: Amend Table 7-1 in “**§7.2 Permitted Uses**” to clarify that “Halfway Houses or Community Residential Centers” (formerly Group Homes for Children, Adult Family Homes, and Adult Group Homes), as defined in ORC §2967.14, ORC §5101, ORC §5119.34, and OAC §5101:2, shall only be permitted (with certain conditions) in R-7 (Multi-Family Residential) Zoning Districts.

Use		Zoning District					Additional Regulations	
(“P”, “P*”, “C”)	R-1	R-2	R-3	R-4	R-5	R-6	R-7	See §7.4.13
<u>Halfway Houses or Community Residential Centers</u>							P*	

2. Conditions: Amend §7.4.13 in “**§7.4 Agricultural and Residential Use-Specific Regulations**” to create a universal set of standards for all Group Homes for Children, Adult Family Homes, and Adult Group Homes (now referred to as “Halfway Houses or Community Residential Centers” per the Ohio Revised Code) and re-designate the permitted district of such homes to the R-7 (Multi-Family Residential) Zoning District. Such requirements are as follows:

- “Halfway Houses or Community Residential Centers” shall refer to any dwelling unit that is being utilized as a Group Home for Children, Adult Group Home, or Adult Family Home.
- The Zoning standards for “Halfway Houses or Community Residential Centers” shall apply to Group Homes for Children, Adult Group Homes, and Adult Family Homes in a uniform manner and must be in accordance with ORC §2967.14, ORC §5101, ORC §5119.34, and OAC §5101:2.
- “Halfway Houses or Community Residential Centers” shall only be permitted in R-7 (Multi-Family Residential District) Zones.
- All buildings in which a “Halfway House or Community Residential Center” is established shall be residential in character.
- Each Dwelling Unit in which a “Halfway House or Community Residential Center” is established shall be deemed to be a separate “Halfway House or Community Residential Center.”

- A Dwelling Unit in which a “Halfway House or Community Residential Center” is established shall not be closer than 600 feet to the next closest Dwelling Unit used as a “Halfway House or Community Residential Center.”
 - The Colerain Township Planning and Zoning Department, Code Department, Police Department, and Fire Department shall have the ability to request the custodial contract permitting the Halfway House or Community Residential Center for each individual resident. The owner/operator of a “Halfway House or Community Residential Center” must provide proof that building and fire codes are adequately met and maintained. If the owner/operator does not provide this documentation within 14 days, the Zoning Administrator shall have the ability to refuse or revoke the Zoning Certificate granting allowance for the “Halfway House or Community Residential Center.” Township Staff shall have the ability to, upon request, inspect the interior of the property for compliance.
 - Any violations to the Colerain Township Zoning Resolution, including the refusal to provide proof of documentation, shall be subject to penalties as described in Article 5: Violations and Penalties.
 - Any “Halfway House or Community Residential Center” that is found to be a nuisance property, pursuant to Township Resolution 109-22 or its future iterations, shall be subject to revocation of the Zoning Certificate to operate as a Halfway House or Community Residential Center.
 - If the “Halfway House or Community Residential Center” is comprised of children under the age of 18, then such “Halfway Houses or Community Residential Centers” must abide by all curfew regulations as approved by the Colerain Township Board of Trustees.
3. Parking Requirements: Amend Table 13-1 in “§13.3.2 *Required Number of Spaces*” to clarify that *all* “Halfway Houses or Community Residential Centers” shall follow the previously approved standards for Group Homes for Children: “one (1) space per employee on shift of maximum employment and two (2) visitor’s spaces.”
 4. Definitions: Amend “§16.2 *Definitions*”
 - **Halfway Houses or Community Residential Centers:** “Halfway Houses or Community Residential Centers, functioning as a single Housekeeping Unit, shall refer to 1) Any Dwelling Unit that houses a maximum of ten (10) children in accordance with OAC §5101:2, or 2) Any Dwelling Unit that houses and provides accommodations for 3-16 unrelated adults and provides supervision and personal care to at least three (3) unrelated adults in accordance with ORC §5119.34. Whether it is children or adults being housed, such homes must meet the requirements in ORC §2967.14 and ORC §5101.

Staff Findings:

Based upon Staff's interpretation of the Colerain Township Comprehensive Plan and the Colerain Township Zoning Resolution:

The current Zoning Resolution allows for an inefficient review *and* upkeep of "Halfway Houses or Community Residential Centers," and more importantly, does not address conditions for "Halfway Houses or Community Residential Centers" for adults. Because of an encumbering number of complaints, in combination with a tedious review process, the amending of Articles 7, 13, and 16 allows for a more efficient Staff review process, which in turn allows the Planning & Zoning Department, Code Enforcement Department, and Police Department to adequately and effectively be in communication with one another in the event of an accident, emergency, tragedy, etc., as well as create a uniform set of standards for *all* "Halfway Houses or Community Residential Centers" within Colerain Township.

Staff Recommendation:

Staff recommends **APPROVAL** of the proposed Text Amendment to Articles 7, 13, and 16 to:

1. Re-categorize Group Homes for Children, Adult Family Homes, and Adult Group Homes as "Halfway Houses or Community Residential Centers."
2. Combine the conditions and parking requirements for future applicants.
3. Re-designate the location of future "Halfway Houses or Community Residential Centers" to the R-7 (Multi-Family Residential) Zoning District.
4. Re-define the term per the Ohio Administrative Code and Ohio Revised Code.

Respectfully submitted for the Colerain Township Zoning Commission's consideration,



Justin Becker

Planner/Dev. Officer

PUBLIC HEARINGS

Department: Administration

Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal: Strategic Goal #1: Chart a Pathway to Long-Term Financial Stability
Strategic Goal #2: Continue to Provide High Quality Safety Services
Strategic Goal #6: Make Progress on Deferred Maintenance and Reposition Existing Assets

Public Hearing for 2021-2023 CBDG Funding Request Change

Recommend opening the public hearing.

Rationale:

There are approximately \$55,000 remaining in the Township's 2021-2023 Community Development Block Grant (CDBG) funding cycle. These dollars were allocated for a facade improvement program. Given the lack of eligible locations for this program, staff is recommending that these dollars be reallocated to the Sovereign Road speed cushions. This public hearing is required in order to change any funding in the Township's existing CDBG allocation.

PUBLIC SAFETY

Department: Fire
Department Director: Allen Walls, Fire Chief

Strategic Plan Goal: Strategic Goal #2: Continue to Provide High Quality Safety Services

Motion Authorizing Pay Increase and Adoption of a Wage Scale for Department of Fire and EMS Seasonal Fire Hydrant Personnel

Recommend ADOPTION of the Motion.

Rationale:

I respectfully request the Board of Trustees consider a pay increase and two-year wage scale for Department of Fire and EMS Seasonal Fire Hydrant Personnel. The current pay rate for Seasonal Fire Hydrant Personnel is \$16.00 per hour. The proposal includes the following increases and steps:

Classification	2024	2025
Seasonal Hydrant Tech 1	\$16.47	\$17.00
Seasonal Hydrant Tech 2	\$16.90	\$17.43



Hydrant Personnel Raises

Background: Seasonal, part-time, hydrant personnel are onboarded each spring for hydrant servicing support to satisfy the following NFPA Standards:

7.3.2 Hydrants: Hydrants shall be tested annually to ensure proper functioning.

7.3.2.1 Each hydrant shall be opened fully, and water flowed until all foreign material has cleared.

7.3.2.2 Flow shall be maintained for not less than 1 minute.

7.3.2.3 After operation, dry barrel and wall hydrants shall be observed for proper drainage from the barrel.

7.3.2.4 Full drainage shall take no longer than 60 minutes.

Hydrant personnel augment the process of on-duty crews conducting this procedure along with the annual painting.

Problem: Onboarding of new personnel each year results in a loss of knowledge and experience. Additionally, this generates an increased risk for equipment and water main damage. In 2023, an estimated five water main breaks occurred that could have been linked to hydrant personnel servicing operations. Additionally, training new hydrant personnel lasts an average of two weeks before they can be released to work on their own. This training cost for each individual can average \$1,000. In addition, training staff wages could cost as much as \$1200 for three personnel.

Total Annual Training Cost: \$2,200 (Three personnel and Trainer)

Broken Equipment Cost: Not tracked in 2023

Request: Create a part-time wage scale for hydrant personnel.

Benefit: This wage scale can improve retention rates, limiting the need for the retraining of new personnel. This reduces costs associated with training and broken equipment.

Cost Analysis: The proposed wage scale:

	<u>2024</u>	<u>2025</u>
Seasonal Hydrant Tech		
1	\$16.47	\$17.00
Seasonal Hydrant Tech		
2	\$16.90	\$17.43



Hydrant Personnel Raises

The projected increase in salaries for the following years is based on three seasonal hydrant technicians working 30 hours a week over a sixteen-week period (May 1st, through August 31st).

2024 projected salary increase:

	<u>2024 Old</u>	<u>2024 New</u>	<u>Total Increase</u>
Seasonal Hydrant Tech 1 (3)	\$23,040.00	\$23,716.80	\$676.80
Seasonal Hydrant Tech 2 (1)	\$7,680.00	\$8,112.00	\$432.00
Total Projected Salary Increase			\$1,108.80

2025 projected salary increase:

	<u>2025 Old</u>	<u>2025 New</u>	<u>Total Increase</u>
Seasonal Hydrant Tech 1 (2)	\$15,360.00	\$16,320.00	\$960.00
Seasonal Hydrant Tech 2 (2)	\$15,360.00	\$16,732.80	\$1,372.80
Total Projected Salary Increase			\$2,332.80

Net Projections:

2024: \$1,1091.20 Budget Reduction (training costs minus salary increase)

2025: \$907.20 Budget Reduction (training costs minus salary increase)

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Resolution Declaring Nuisance and Ordering Abatement

Recommend ADOPTION of the Resolution.

Rationale:

This resolution allows for the removal of uncontrolled vegetation and/or refuse at the following properties:

7681 Livingston Rd	510-0211-0016-00
7150 Colerain Ave	510-0074-0456-00

All properties that are abated by the Township will have their property taxes assessed in order to reimburse the Township for the abatement services. This resolution and the Township's abatement process comport with the Ohio Revised Code for nuisance violations.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 7:00 p.m., on the ____ day of _____, 202_, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT

WHEREAS Uncontrolled vegetation and/or refuse and debris were reported at the properties listed below:

<u>Address</u>	<u>Book-Page-Parcel No.</u>
7681 Livingston Rd	510-0211-0016-00
7150 Colerain Ave	510-0074-0456-00

WHEREAS Ohio Revised Code Section 505.87 provides that, at least seven days prior to providing for the abatement, control, or removal of any vegetation, garbage, refuse, or debris, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land; and

WHEREAS Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

WHEREAS In accordance with Ohio Revised Code Section 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That this Board specifically finds and hereby determines that the uncontrolled growth of vegetation and/or the refuse and debris on each of the said properties listed above constitute a nuisance within the meaning of Ohio Revised Code Section 505.87, and the Board directs that notice of this action be given to owners of the said property and lienholders in the manner required by Ohio Revised Code Section 505.87;
2. That this Board hereby orders the owners of said property to remove and abate the nuisances within seven days after notice of this order is given to the owners and lienholders of record, and within four days after notice of this order is given to the owners and lienholders of record for properties previously

determined to be a nuisance. If said nuisances are not removed and abated by the said owners, or if no agreement for removal and abatement is reached between the Township and the owners and lienholders of record within four or seven days after notice is given, the Zoning Inspector shall cause the nuisances to be removed, and the Township shall notify the County Auditor to assess such cost plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code Section 505.87;

3. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and

4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.

5. That this Resolution shall be effective at the earliest date allowed by law.

Trustee _____, seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____

ADOPTED this ____ day of _____, 202_.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott A. Sollmann (0081467)
Colerain Township Law Director
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this _____ day of _____, 202__.

Jeff Baker
Colerain Township Fiscal Officer

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Resolution Declaring a Junk Motor Vehicle - 3645 Stone Creek Blvd. - 1 of 4

Recommend ADOPTION of the Resolution.

Rationale:

Recommend Adoption of the Motion to Declare and Order Abatement of the Junk Motor Vehicle at the Following Property:

3645 Stone Creek Blvd. Cincinnati, OH 45251

1. (OH) JHH7614, 2016, WHITE, GMC, TERRAIN
2. (OH) HVB1112, 2005, BLUE, CHRYSLER, 300
3. (NO PLATE) 1997, TAN, TOYOTA, CAMRY
4. (OH) EDP2515, 2004, WHITE, SATURN, ION

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at **7:00** p.m., on the ____ day of _____, 202_ at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____

**RESOLUTION DECLARING VEHICLE LOCATED AT 3645 Stone Creek Blvd.
Cincinnati, OH 45251 – Parcel ID 510-0111-0346-00
AS A JUNK MOTOR VEHICLE AND CAUSING FOR THE REMOVAL PURSUANT
TO COLERAIN TOWNSHIP RESOLUTION NO. 36-21**

WHEREAS, pursuant to Ohio Revised Code § 505.871, the Colerain Township Board of Trustees has authority to determine that a motor vehicle, on either public and private property, is a junk motor vehicle as defined in Ohio Revised Code § 505.173, and has the authority to have that vehicle removed from the property; and,

WHEREAS, the Colerain Township Board of Trustees adopted Resolution 36-21, on May 11, 2021, adopting the procedures of Ohio Revised Code § 505.871, to facilitate to the removal of a growing number of junk vehicles throughout the Township, and worked to preserve property values, public health, safety, and morals by eliminating the detrimental effects of junk vehicles; and,

WHEREAS, the Board of Trustees has knowledge of a junk motor vehicle located at **3645 Stone Creek Blvd. Cincinnati, OH 45251 – Parcel ID 510-0111-0346-00**

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows;

1. The Board declares the junk motor vehicle located at **3645 Stone Creek Blvd. Cincinnati, OH 45251 – Parcel ID 510-0111-0346-00** to be inoperable, extensively damages, and at least three model years old:
 - A. **(OH) JHH7614, 2016, WHITE, GMC, TERRAIN**
 - B. **(OH) HVB1112, 2005, BLUE, CHRYSLER, 300**
 - C. **(NO PLATE) 1997, TAN, TOYOTA, CAMRY**
 - D. **(OH) EDP2515, 2004, WHITE, SATURN, ION**
2. The Board shall provide for the removal of said junk motor vehicle from the above listed property, not sooner than fourteen (14) days after the Board serves written notice of its

intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land.

3. The written notice shall contain the following information:
 - a. A general description of the vehicle to be removed;
 - b. A statement the Board has determined that the vehicle is a junk motor vehicle.
 - c. A statement that if the owner of the land fails to remove the vehicle within fourteen days after service of the notice, the board may remove or cause the removal of the vehicle.
 - d. A statement that any expenses and/or costs the board incurs in removing or causing the removal of the vehicle may be entered upon the tax duplicate and become a lien upon the land from the date of entry.
 - e. A copy of this resolution.
4. The Board shall serve the notice on the property owner, pursuant to the procedure in Colerain Township Resolution 36-21, that a junk vehicle exists on the property and Colerain Township intends to remove, or cause the removal, of the junk motor vehicle.
5. The Board may utilize any lawful means to collect the expenses incurred in removing or causing to removal of the junk motor vehicle as determined by Colerain Township Resolution 36-21.
6. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
7. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
8. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____ and Mr. Wahlert _____

ADOPTED this _____ day of _____, 202_.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott A. Sollmann (0081467)
Colerain Township Law Director
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 202_.

Jeff Baker

Colerain Township Fiscal Officer

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Resolution Declaring a Junk Motor Vehicle - 3663 Stone Creek Blvd. - 2 of 4

Recommend ADOPTION of the Resolution.

Rationale:

Recommend Adoption of the Motion to Declare and Order Abatement of the Junk Motor Vehicle at the Following Property:

3663 Stone Creek Blvd. Cincinnati, OH 45251

1. (OH) JJA6014, 2005, GREY, ACURA, RL
2. (OH) HZK8957, 2018, GREY, HYUNDAI, ELANTRA

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at **7:00** p.m., on the ____ day of _____, 202_ at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____

**RESOLUTION DECLARING VEHICLE LOCATED AT 3663 Stone Creek Blvd.
Cincinnati, OH 45251 – Parcel ID 510-0111-0320-00
AS A JUNK MOTOR VEHICLE AND CAUSING FOR THE REMOVAL PURSUANT
TO COLERAIN TOWNSHIP RESOLUTION NO. 36-21**

WHEREAS, pursuant to Ohio Revised Code § 505.871, the Colerain Township Board of Trustees has authority to determine that a motor vehicle, on either public and private property, is a junk motor vehicle as defined in Ohio Revised Code § 505.173, and has the authority to have that vehicle removed from the property; and,

WHEREAS, the Colerain Township Board of Trustees adopted Resolution 36-21, on May 11, 2021, adopting the procedures of Ohio Revised Code § 505.871, to facilitate to the removal of a growing number of junk vehicles throughout the Township, and worked to preserve property values, public health, safety, and morals by eliminating the detrimental effects of junk vehicles; and,

WHEREAS, the Board of Trustees has knowledge of a junk motor vehicle located at **3663 Stone Creek Blvd. Cincinnati, OH 45251 – Parcel ID 510-0111-0320-00**

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows;

1. The Board declares the junk motor vehicle located at **3663 Stone Creek Blvd. Cincinnati, OH 45251 – Parcel ID 510-0111-0320-00** to be inoperable, extensively damages, and at least three model years old:
 - A. **(OH) JJA6014, 2005, GREY, ACURA, RL**
 - B. **(OH) HZK8957, 2018, GREY, HYUNDAI, ELANTRA**
2. The Board shall provide for the removal of said junk motor vehicle from the above listed property, not sooner than fourteen (14) days after the Board serves written notice of its intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land.

3. The written notice shall contain the following information:
 - a. A general description of the vehicle to be removed;
 - b. A statement the Board has determined that the vehicle is a junk motor vehicle.
 - c. A statement that if the owner of the land fails to remove the vehicle within fourteen days after service of the notice, the board may remove or cause the removal of the vehicle.
 - d. A statement that any expenses and/or costs the board incurs in removing or causing the removal of the vehicle may be entered upon the tax duplicate and become a lien upon the land from the date of entry.
 - e. A copy of this resolution.
4. The Board shall serve the notice on the property owner, pursuant to the procedure in Colerain Township Resolution 36-21, that a junk vehicle exists on the property and Colerain Township intends to remove, or cause the removal, of the junk motor vehicle.
5. The Board may utilize any lawful means to collect the expenses incurred in removing or causing to removal of the junk motor vehicle as determined by Colerain Township Resolution 36-21.
6. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
7. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
8. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____ and Mr. Wahlert _____

ADOPTED this _____ day of _____, 202_.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott A. Sollmann (0081467)
Colerain Township Law Director
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township
Fiscal Officer this ____ day of _____, 202_.

Jeff Baker
Colerain Township Fiscal Officer

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Resolution Declaring a Junk Motor Vehicle - 6948 Kellway Ct. - 3 of 4
Recommend ADOPTION of the Resolution.

Rationale:

Recommend Adoption of the Motion to Declare and Order Abatement of the Junk Motor Vehicle at the Following Property:

6948 Kellway Ct. Cincinnati, OH 45239

1. **(OH) JOA8232, 2008, BLUE/BLACK, FORD, FOCUS**

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at **7:00** p.m., on the ____ day of _____, 202_ at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____

RESOLUTION DECLARING VEHICLE LOCATED AT 6948 Kellway Ct. Cincinnati, OH 45239 – Parcel ID 510-0073-0060-00
AS A JUNK MOTOR VEHICLE AND CAUSING FOR THE REMOVAL PURSUANT TO COLERAIN TOWNSHIP RESOLUTION NO. 36-21

WHEREAS, pursuant to Ohio Revised Code § 505.871, the Colerain Township Board of Trustees has authority to determine that a motor vehicle, on either public and private property, is a junk motor vehicle as defined in Ohio Revised Code § 505.173, and has the authority to have that vehicle removed from the property; and,

WHEREAS, the Colerain Township Board of Trustees adopted Resolution 36-21, on May 11, 2021, adopting the procedures of Ohio Revised Code § 505.871, to facilitate to the removal of a growing number of junk vehicles throughout the Township, and worked to preserve property values, public health, safety, and morals by eliminating the detrimental effects of junk vehicles; and,

WHEREAS, the Board of Trustees has knowledge of a junk motor vehicle located at **6948 Kellway Ct. Cincinnati, OH 45239 – Parcel ID 510-0073-0060-00**

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows;

1. The Board declares the junk motor vehicle located at **6948 Kellway Ct. Cincinnati, OH 45239 – Parcel ID 510-0073-0060-00** to be inoperable, extensively damages, and at least three model years old:

A. (OH) JOA8232, 2008, BLUE/BLACK, FORD, FOCUS

2. The Board shall provide for the removal of said junk motor vehicle from the above listed property, not sooner than fourteen (14) days after the Board serves written notice of its intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land.
3. The written notice shall contain the following information:

- a. A general description of the vehicle to be removed;
 - b. A statement the Board has determined that the vehicle is a junk motor vehicle.
 - c. A statement that if the owner of the land fails to remove the vehicle within fourteen days after service of the notice, the board may remove or cause the removal of the vehicle.
 - d. A statement that any expenses and/or costs the board incurs in removing or causing the removal of the vehicle may be entered upon the tax duplicate and become a lien upon the land from the date of entry.
 - e. A copy of this resolution.
4. The Board shall serve the notice on the property owner, pursuant to the procedure in Colerain Township Resolution 36-21, that a junk vehicle exists on the property and Colerain Township intends to remove, or cause the removal, of the junk motor vehicle.
 5. The Board may utilize any lawful means to collect the expenses incurred in removing or causing to removal of the junk motor vehicle as determined by Colerain Township Resolution 36-21.
 6. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
 7. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
 8. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____ and Mr. Wahlert _____

ADOPTED this _____ day of _____, 202_.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott A. Sollmann (0081467)
Colerain Township Law Director
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 202_.

Jeff Baker
Colerain Township Fiscal Officer

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Resolution Declaring a Junk Motor Vehicle - 11467 Pippin Rd. - 4 of 4
Recommend ADOPTION of the Resolution.

Rationale:

Recommend Adoption of the Motion to Declare and Order Abatement of the Junk Motor Vehicle at the Following Property:

11467 Pippin Rd. Cincinnati, OH 45231

1. **(OH) EHS8148, 2003, GREY, DODGE, RAM 1500**

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at **7:00** p.m., on the ____ day of _____, 202_ at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____

RESOLUTION DECLARING VEHICLE LOCATED AT 11467 Pippin Rd. Cincinnati, OH 45231 – Parcel ID 510-0024-0071-00
AS A JUNK MOTOR VEHICLE AND CAUSING FOR THE REMOVAL PURSUANT TO COLERAIN TOWNSHIP RESOLUTION NO. 36-21

WHEREAS, pursuant to Ohio Revised Code § 505.871, the Colerain Township Board of Trustees has authority to determine that a motor vehicle, on either public and private property, is a junk motor vehicle as defined in Ohio Revised Code § 505.173, and has the authority to have that vehicle removed from the property; and,

WHEREAS, the Colerain Township Board of Trustees adopted Resolution 36-21, on May 11, 2021, adopting the procedures of Ohio Revised Code § 505.871, to facilitate to the removal of a growing number of junk vehicles throughout the Township, and worked to preserve property values, public health, safety, and morals by eliminating the detrimental effects of junk vehicles; and,

WHEREAS, the Board of Trustees has knowledge of a junk motor vehicle located at **11467 Pippin Rd. Cincinnati, OH 45231 – Parcel ID 510-0024-0071-00**

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows;

1. The Board declares the junk motor vehicle located at **11467 Pippin Rd. Cincinnati, OH 45231 – Parcel ID 510-0024-0071-00** to be inoperable, extensively damages, and at least three model years old:

A. (OH) EHS8148, 2003, GREY, DODGE, RAM 1500

2. The Board shall provide for the removal of said junk motor vehicle from the above listed property, not sooner than fourteen (14) days after the Board serves written notice of its intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land.
3. The written notice shall contain the following information:

- a. A general description of the vehicle to be removed;
 - b. A statement the Board has determined that the vehicle is a junk motor vehicle.
 - c. A statement that if the owner of the land fails to remove the vehicle within fourteen days after service of the notice, the board may remove or cause the removal of the vehicle.
 - d. A statement that any expenses and/or costs the board incurs in removing or causing the removal of the vehicle may be entered upon the tax duplicate and become a lien upon the land from the date of entry.
 - e. A copy of this resolution.
4. The Board shall serve the notice on the property owner, pursuant to the procedure in Colerain Township Resolution 36-21, that a junk vehicle exists on the property and Colerain Township intends to remove, or cause the removal, of the junk motor vehicle.
 5. The Board may utilize any lawful means to collect the expenses incurred in removing or causing to removal of the junk motor vehicle as determined by Colerain Township Resolution 36-21.
 6. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
 7. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
 8. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____ and Mr. Wahlert _____

ADOPTED this _____ day of _____, 202__.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott A. Sollmann (0081467)
Colerain Township Law Director
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 202_.

Jeff Baker
Colerain Township Fiscal Officer

DEVELOPMENT

Department: Development
Department Director: David Miller, Director of Development

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Resolution to Approve/Deny CZC-24-1 Zoning Text Amendment for Group Homes for Children

Recommend ADOPTION of the Resolution.

Rationale:

Beginning in November of 2023, a large influx of applications was being received by Colerain Township Planning & Zoning Staff for Group Homes for Children. Due to the encumbering nature of such applications and the process required to review them, including the uses of all neighboring residences within 600' of the proposed Group Home for Children, compounded by numerous complaints from neighbors regarding existing Group Homes for Children, and scheduled inspections by Ohio Department of Job and Family Services, Staff determined that formulating a text amendment could help address these issues.

In summary, this text amendment will:

- Change the definition of a "Group Home for Children" to have it more broadly apply to all group homes
- Restrict group homes to R-7 zoning districts
- Provide the Township with the ability to obtain copies of any custodial contracts
- Provide the Township with the ability to revoke a zoning certificate if any group home is deemed a "nuisance property" per resolution 109-22 (and its successors)

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in a regular session at 6:00 p.m., on the 23rd day of April, 2024, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Cathy Ulrich, Dan Unger, Matt Wahlert

Mr./Ms. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____-24

**APPROVAL OF ZONING COMMISSION CASE NO. CZC-24-1,
ZONING TEXT AMENDMENT, TO ARTICLE 7, 13, AND 16:
MODIFICATIONS TO REGULATION OF GROUP HOMES**

WHEREAS, beginning in November of 2023, a large influx of applications was being received by Colerain Township Planning & Zoning Staff for Group Homes for Children. Due to the encumbering nature of such applications and the process required to review them, including the uses of all neighboring residences within 600' of the proposed Group Home for Children, compounded by numerous complaints from neighbors regarding existing Group Homes for Children, and scheduled inspections by Ohio Department of Job and Family Services, Staff determined that formulating a text amendment could help address these issues; and

WHEREAS, on February 13, 2024, pursuant to ORC §519.12(A)(1), the Colerain Township Board of Trustees signed Resolution No. 20-24 to initiate a text amendment to Article 7.4.13, Group Homes for Children, to more appropriately align the Zoning Resolution with the Township's strategic goals of continuing to provide high quality safety services; and

WHEREAS, on February 20, 2024, the Colerain Township Zoning Commission held a public hearing on case CZC-24-1 proposing text amendments to Articles 7, 13, and 16 of the Colerain Township Zoning Resolution that would combine the conditions for Group Homes for Children, Adult Family Homes, and Adult Group Homes, and re-designate any future applications for such uses to the R-7 (Multi-Family Residential) Zoning District; and

WHEREAS, after consideration of the Staff proposal and all public comments, exhibits, and other materials submitted, the Zoning Commission voted 5-0 to recommend the Zoning Text Amendments, included below as Exhibit "A", to the Colerain Township Board of Trustees; and

WHEREAS, the Colerain Township Board of Trustees conducted its public hearing on Zoning Commission case CZC-24-1 on April 23, 2024, and after consideration of the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted ____ - ____ to approve the Colerain Township Zoning Text Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That the Board of Trustees of Colerain Township, Hamilton County, Ohio approves the Text Amendment to the Zoning Resolution for the reason that the Zoning Text Amendment would be in the best interest of the Township and the health, safety, morals and welfare of the public, is consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is in keeping with good land use planning; and
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
3. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Administration; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and
5. That this Resolution shall be effective at the earliest date allowed by law.

Mr./ Ms. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____,

ADOPTED this 23rd day of April, 2024.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matt Wahlert, Trustee

ATTEST:

Jeff Baker
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott Sollmann (0081467)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 23rd day of April, 2024.

Jeff Baker
Colerain Township Fiscal Officer

Exhibit “A”

Sections of the Colerain Township Zoning Resolution Text to Amend:

1. Use: Amend Table 7-1 in “**§7.2 Permitted Uses**” to clarify that “Halfway Houses or Community Residential Centers” (formerly Group Homes for Children, Adult Family Homes, and Adult Group Homes), as defined in ORC §2967.14, ORC §5101, ORC §5119.34, and OAC §5101:2, shall only be permitted (with certain conditions) in R-7 (Multi-Family Residential) Zoning Districts.

Use		Zoning District				Additional Regulations		
(“P”, “P*”, “C”)	R-1	R-2	R-3	R-4	R-5	R-6	R-7	See §7.4.13
<u>Halfway Houses or Community Residential Centers</u>							P*	

2. Conditions: Amend §7.4.13 in “**§7.4 Agricultural and Residential Use-Specific Regulations**” to create a universal set of standards for all Group Homes for Children, Adult Family Homes, and Adult Group Homes (now referred to as “Halfway Houses or Community Residential Centers” per the Ohio Revised Code) and re-designate the permitted district of such homes to the R-7 (Multi-Family Residential) Zoning District. Such requirements are as follows:
 - “Halfway Houses or Community Residential Centers” shall refer to any dwelling unit that is being utilized as a Group Home for Children, Adult Group Home, or Adult Family Home.
 - The Zoning standards for “Halfway Houses or Community Residential Centers” shall apply to Group Homes for Children, Adult Group Homes, and Adult Family Homes in a uniform manner and must be in accordance with ORC §2967.14, ORC §5101, ORC §5119.34, and OAC §5101:2.
 - “Halfway Houses or Community Residential Centers” shall only be permitted in R-7 (Multi-Family Residential District) Zones.
 - All buildings in which a “Halfway House or Community Residential Center” is established shall be residential in character.

- Each Dwelling Unit in which a “Halfway House or Community Residential Center” is established shall be deemed to be a separate “Halfway House or Community Residential Center.”
 - A Dwelling Unit in which a “Halfway House or Community Residential Center” is established shall not be closer than 600 feet to the next closest Dwelling Unit used as a “Halfway House or Community Residential Center.”
 - The Colerain Township Planning and Zoning Department, Code Department, Police Department, and Fire Department shall have the ability to request the custodial contract permitting the Halfway House or Community Residential Center for each individual resident. The owner/operator of a “Halfway House or Community Residential Center” must provide proof that building and fire codes are adequately met and maintained. If the owner/operator does not provide this documentation within 14 days, the Zoning Administrator shall have the ability to refuse or revoke the Zoning Certificate granting allowance for the “Halfway House or Community Residential Center.” Township Staff shall have the ability to, upon request, inspect the interior of the property for compliance.
 - Any violations to the Colerain Township Zoning Resolution, including the refusal to provide proof of documentation, shall be subject to penalties as described in Article 5: Violations and Penalties.
 - Any “Halfway House or Community Residential Center” that is found to be a nuisance property, pursuant to Township Resolution 109-22 or its future iterations, shall be subject to revocation of the Zoning Certificate to operate as a Halfway House or Community Residential Center.
 - If the “Halfway House or Community Residential Center” is comprised of children under the age of 18, then such “Halfway Houses or Community Residential Centers” must abide by all curfew regulations as approved by the Colerain Township Board of Trustees.
3. Parking Requirements: Amend Table 13-1 in “***§13.3.2 Required Number of Spaces***” to clarify that *all* “Halfway Houses or Community Residential Centers” shall follow the previously approved standards for Group Homes for Children: “one (1) space per employee on shift of maximum employment and two (2) visitor’s spaces.”

4. Definitions: Amend “§16.2 Definitions”

- **Halfway Houses or Community Residential Centers:** Halfway Houses or Community Residential Centers, functioning as a single Housekeeping Unit, shall refer to 1) Any Dwelling Unit that houses a maximum of ten (10) children in accordance with OAC §5101:2, or 2) Any Dwelling Unit that houses and provides accommodations for 3-16 unrelated adults and provides supervision and personal care to at least three (3) unrelated adults in accordance with ORC §5119.34. Whether it is children or adults being housed, such homes must meet the requirements in ORC §2967.14 and ORC §5101.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in a regular session at 6:00 p.m., on the 23rd day of April, 2024, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Cathy Ulrich, Dan Unger, Matt Wahlert

Mr./Ms. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____-24

**DENIAL OF ZONING COMMISSION CASE NO. CZC-24-1,
ZONING TEXT AMENDMENT, TO ARTICLE 7, 13, AND 16:
MODIFICATIONS TO REGULATION OF GROUP HOMES**

WHEREAS, beginning in November of 2023, a large influx of applications was being received by Colerain Township Planning & Zoning Staff for Group Homes for Children. Due to the encumbering nature of such applications and the process required to review them, including the uses of all neighboring residences within 600' of the proposed Group Home for Children, compounded by numerous complaints from neighbors regarding existing Group Homes for Children, and scheduled inspections by Ohio Department of Job and Family Services, Staff determined that formulating a text amendment could help address these issues; and

WHEREAS, on February 13, 2024, pursuant to ORC §519.12(A)(1), the Colerain Township Board of Trustees signed Resolution No. 20-24 to initiate a text amendment to Article 7.4.13, Group Homes for Children, to more appropriately align the Zoning Resolution with the Township's strategic goals of continuing to provide high quality safety services; and

WHEREAS, on February 20, 2024, the Colerain Township Zoning Commission held a public hearing on case CZC-24-1 proposing text amendments to Articles 7, 13, and 16 of the Colerain Township Zoning Resolution that would combine the conditions for Group Homes for Children, Adult Family Homes, and Adult Group Homes, and re-designate any future applications for such uses to the R-7 (Multi-Family Residential) Zoning District; and

WHEREAS, after consideration of the Staff proposal and all public comments, exhibits, and other materials submitted, the Zoning Commission voted 5-0 to recommend the Zoning Text Amendments, included below as Exhibit "A", to the Colerain Township Board of Trustees; and

WHEREAS, the Colerain Township Board of Trustees conducted its public hearing on Zoning Commission case CZC-24-1 on April 23, 2024, and after consideration of the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted ____ - ____ to approve the Colerain Township Zoning Text Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That the Board of Trustees of Colerain Township, Hamilton County, Ohio denies the Text Amendment to the Zoning Resolution for the reason that the Zoning Text Amendment would not be in the best interest of the Township and the health, safety, morals and welfare of the public, is not consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is not in keeping with good land use planning; and
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
3. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Colerain Township Zoning Administration; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and
5. That this Resolution shall be effective at the earliest date allowed by law.

Mr./ Ms. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____, Mr. Wahlert _____,

ADOPTED this 23rd day of April, 2024.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matt Wahlert, Trustee

ATTEST:

Jeff Baker
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Scott Sollmann (0081467)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 23rd day of April, 2024.

Jeff Baker
Colerain Township Fiscal Officer

Exhibit “A”

Sections of the Colerain Township Zoning Resolution Text to Amend:

1. Use: Amend Table 7-1 in “**§7.2 Permitted Uses**” to clarify that “Halfway Houses or Community Residential Centers” (formerly Group Homes for Children, Adult Family Homes, and Adult Group Homes), as defined in ORC §2967.14, ORC §5101, ORC §5119.34, and OAC §5101:2, shall only be permitted (with certain conditions) in R-7 (Multi-Family Residential) Zoning Districts.

Use		Zoning District				Additional Regulations		
(“P”, “P*”, “C”)	R-1	R-2	R-3	R-4	R-5	R-6	R-7	See §7.4.13
<u>Halfway Houses or Community Residential Centers</u>							P*	

2. Conditions: Amend §7.4.13 in “**§7.4 Agricultural and Residential Use-Specific Regulations**” to create a universal set of standards for all Group Homes for Children, Adult Family Homes, and Adult Group Homes (now referred to as “Halfway Houses or Community Residential Centers” per the Ohio Revised Code) and re-designate the permitted district of such homes to the R-7 (Multi-Family Residential) Zoning District. Such requirements are as follows:
 - “Halfway Houses or Community Residential Centers” shall refer to any dwelling unit that is being utilized as a Group Home for Children, Adult Group Home, or Adult Family Home.
 - The Zoning standards for “Halfway Houses or Community Residential Centers” shall apply to Group Homes for Children, Adult Group Homes, and Adult Family Homes in a uniform manner and must be in accordance with ORC §2967.14, ORC §5101, ORC §5119.34, and OAC §5101:2.
 - “Halfway Houses or Community Residential Centers” shall only be permitted in R-7 (Multi-Family Residential District) Zones.
 - All buildings in which a “Halfway House or Community Residential Center” is established shall be residential in character.

- Each Dwelling Unit in which a “Halfway House or Community Residential Center” is established shall be deemed to be a separate “Halfway House or Community Residential Center.”
 - A Dwelling Unit in which a “Halfway House or Community Residential Center” is established shall not be closer than 600 feet to the next closest Dwelling Unit used as a “Halfway House or Community Residential Center.”
 - The Colerain Township Planning and Zoning Department, Code Department, Police Department, and Fire Department shall have the ability to request the custodial contract permitting the Halfway House or Community Residential Center for each individual resident. The owner/operator of a “Halfway House or Community Residential Center” must provide proof that building and fire codes are adequately met and maintained. If the owner/operator does not provide this documentation within 14 days, the Zoning Administrator shall have the ability to refuse or revoke the Zoning Certificate granting allowance for the “Halfway House or Community Residential Center.” Township Staff shall have the ability to, upon request, inspect the interior of the property for compliance.
 - Any violations to the Colerain Township Zoning Resolution, including the refusal to provide proof of documentation, shall be subject to penalties as described in Article 5: Violations and Penalties.
 - Any “Halfway House or Community Residential Center” that is found to be a nuisance property, pursuant to Township Resolution 109-22 or its future iterations, shall be subject to revocation of the Zoning Certificate to operate as a Halfway House or Community Residential Center.
 - If the “Halfway House or Community Residential Center” is comprised of children under the age of 18, then such “Halfway Houses or Community Residential Centers” must abide by all curfew regulations as approved by the Colerain Township Board of Trustees.
3. Parking Requirements: Amend Table 13-1 in “***§13.3.2 Required Number of Spaces***” to clarify that *all* “Halfway Houses or Community Residential Centers” shall follow the previously approved standards for Group Homes for Children: “one (1) space per employee on shift of maximum employment and two (2) visitor’s spaces.”

4. Definitions: Amend “§16.2 Definitions”

- **Halfway Houses or Community Residential Centers:** Halfway Houses or Community Residential Centers, functioning as a single Housekeeping Unit, shall refer to 1) Any Dwelling Unit that houses a maximum of ten (10) children in accordance with OAC §5101:2, or 2) Any Dwelling Unit that houses and provides accommodations for 3-16 unrelated adults and provides supervision and personal care to at least three (3) unrelated adults in accordance with ORC §5119.34. Whether it is children or adults being housed, such homes must meet the requirements in ORC §2967.14 and ORC §5101.

DEVELOPMENT

Department: Development
Department Director: David Miller, Director of Development

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Receipt of Zoning Commission recommendation and Motion for Board of Trustees to set a Public Hearing for May 14, 2024 for case CZC-24-2, Zoning Map Amendment requiring a Preliminary Development Plan at 9328 Pippin Road.

Recommend ADOPTION of the Motion.

Rationale:

The Zoning Commission held a Public Hearing on April 8, 2024 on case CZC-24-2, a Zoning Map Amendment requiring a Preliminary Development Plan and recommended Approval of the case to the Board of Trustees. A Public Hearing on case CZC-24-2 is required by the Board of Trustees as part of the Map Amendment process.

TRUSTEES

Cathy Ulrich
Daniel Unger
Matt Wahlert

FISCAL OFFICER

Jeffrey D. Baker

ADMINISTRATOR

Jeff Weckbach

Receipt of Zoning Commission's**Recommendation:**

Case #:

Request:

Meeting Date:

Prepared by:

Board of Trustees

Zoning Commission CZC-24-2

Zoning Map Amendment

April 23, 2024

David Miller, Development Director

Request:

That the Colerain Township Board of Trustees accepts the following as their receipt of the Colerain Township Zoning Commission's recommendation of APPROVAL for the proposed Zoning Map Amendment requiring a Preliminary Development Plan at 9328 Pippin Road which was presented at a public hearing to the Colerain Township Zoning Commission on April 8, 2024 as case CZC-24-2.

Furthermore, it is requested that the Colerain Township Board of Trustees schedule a public hearing on the matter for May 14, 2024.

Respectfully submitted for the Colerain Township Board of Trustees' consideration,



David L. Miller
Development Director

ADMINISTRATION

Department: Administration
Department Director: Tiphannie Mays, Assistant Administrator

Strategic Plan Goal: Strategic Goal #4: Expand Recreational Opportunities for all Ages Strategic Goal #5: Continuously Improve the Operations of the Township

Motion Authorizing Township Administrator to Execute an Amendment to the Coleraine Historical Society Memorandum of Understanding

Recommend ADOPTION of the Motion.

Rationale:

On January 23, 2024, the Township entered into an agreement with the Colerain Historical Society. The agreement states that the operation of the museum hours are limited due to the renovation of the basement into the training center. During that time, office and meeting space was limited and the space that the Historical Society utilized was shared with staff. Once the basement remodel was completed, there were more options for staff to meet and therefore, the Historical Society could occupy their designated area without limitations. The amendment identifies this issue with language to reflect the new operating hours and a full-term contract.

Coleraine Historical Society MOU – Amendment April 23, 2024

Colerain Township, Hamilton County
State of Ohio

Background

- A. A Memorandum of Understanding (hereinafter referred to as the “MOU”) was entered into and made effective January 23, 2024 (hereinafter referred to as the “Effective Date”) by and between the following organizations (hereinafter referred to as the “Owner”):

Colerain Township Board of Trustees
Of 4200 Springdale Road, Cincinnati, OH 45251

And the following provider organization (hereinafter referred to as the “Organization”):

Coleraine Historical Society

To establish the terms and conditions for the use of Township office space to utilize as the offices and museum for the Organization (hereinafter referred to as the “Property”):

Administration Lobby of 4200 Springdale Road, Cincinnati, OH 45251

- B. *Whereas*, the original MOU identified the duration of the MOU as a period of six (6) months, and
- C. *Whereas*, the original MOU outlined limited use of the Property during the renovation of the basement at 4200 Springdale Road, Cincinnati, OH 45251 until the renovations were completed, and
- D. *Whereas*, the renovations are now completed which will permit the use of the Property by the Organization on a more regular basis; now
- E. *Therefore, be it resolved* that in full consideration of Owner’s permission to the Organization to utilize the Property as described in the MOU, to expand to a three (3) year agreement, ending on December 31, 2026, and the allowed usage of the Property by the Organization on the following days and times:
- Monday through Friday from 8:00am to 5:00pm
 - Saturdays from 10am-2pm
 - The second and fourth Tuesdays of the month from 5pm-7pm

Execution:

Jeff Weckbach, Colerain Township Administrator

Date

JoAnn Bertram, Coleraine Historical Society, Board President

Date

ADMINISTRATION

Department: Administration

Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal: Strategic Goal #1: Chart a Pathway to Long-Term Financial Stability
Strategic Goal #2: Continue to Provide High Quality Safety Services

Motion to Amend 2021-2023 CDBG Allocation for Purchase of Speed Cushions for Sovereign Drive
Recommend ADOPTION of the Motion.

Rationale:

This motion would amend the existing 2021-2023 CDBG funding to allow for the purchase of speed cushions on Sovereign Drive. Previously, these dollars were set aside for a Facade Improvement program that was unable to find eligible properties.

ADMINISTRATION

Department: Administration

Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal: Strategic Goal #1: Chart a Pathway to Long-Term Financial Stability
Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement
Strategic Goal #4: Expand Recreational Opportunities for all Ages
Strategic Goal #6: Make Progress on Deferred Maintenance and Reposition Existing Assets

Motion to Authorize Township Administrator to Apply for Community Development Block Grant for 2024 - 2026
Recommend ADOPTION of the Motion.

Rationale:

Staff has held two separate public hearings to solicit feedback on potential projects for completion in the 2024-2026 funding cycle through CDBG with Hamilton County. Ultimately, Hamilton County will determine which projects are funded. Below are the proposed projects:

40,000.00	Sidewalks – Breezy Way
100,000.00	Groesbeck Park Study and Improvements
100,000.00	Home Rehab Project
100,000.00	Sidewalks on Springdale Road from Colerain to Loralinda

The Township has removed the Blanchetta Basketball court project as it was deemed ineligible by CDBG staff.

ADMINISTRATION

Department: Administration
Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal: Strategic Goal #1: Chart a Pathway to Long-Term Financial Stability

Discussion - Governance Review

Staff seeks direction on this issue.

Rationale:

Staff authored the attached memorandum that takes a deep dive and holistic look at the various governance models by which the Township can be organized. The goal of this review was to explore alternatives that could allow for a different method by which the Township could be funded or operated. The areas reviewed are listed below for summary purposes:

- Non-Home Rule Township, with limited service provision
- Limited Home Rule Township (Colerain's current operating model)
- Incorporation as a Village
- Incorporation as a City
- Incorporation via Merger
- Property tax levies on a neighborhood by neighborhood basis

MEMORANDUM

To: Board of Trustees of Colerain Township

CC: Jeff McElravy, Assistant Administrator
Tiphonie Mays, Assistant Administrator

From: Jeff Weckbach, Township Administrator

Subject: Governance Review – Strategic Initiative

Date: April 12, 2024

BACKGROUND

The number one goal of the 2024-2026 Strategic Plan is to “Chart a Pathway to Long-Term Financial Stability”. Recently, Colerain Township placed two measures on the ballot to consider an increase in tax revenue to support on-going operations of the police department. Both of those measures failed. In addition, the long-range financial forecast anticipates the need for a Fire & EMS levy in 2026. Given the uncertainty of the ability of Township voters to pay or support an increase in taxes, the Township should explore alternative governance models that may allow for expanded or contracted powers.

A full review of the governing model for the Township will help to identify potential long-term strategies to ensure a fiscally responsible and attainable future. The Township has not explored its form of government or governance since adoption of a limited home rule resolution in 2010:

<https://www.colerain.org/DocumentCenter/View/753/27-10-Adopting-Limited-Home-Rule-Government>

GOVERNANCE MODELS

Under Ohio State Law, there are several types of local governments that can exist, as detailed below:

Governing Model	Limited Home Rule	Non-Home Rule	Village	City	Merge r
ORC Reference	504.01 (A)(3)	ORC 505	707.01	707.29	709.45

COTERRAIN

Limited Home Rule Township: ORC 504.01(A)(3)

Townships in Ohio are only granted the powers that are expressly outlined in the ORC, unless they adopt a limited home rule resolution. Under that model, Townships are granted “all powers of self-government” unless expressly prohibited by state law. This is Colerain’s current operating model as a limited-home rule resolution was adopted by the Township in 2010. A home-rule resolution will allow a Township to adopt additional resolutions. However, failure to adhere to these resolutions must be adjudicated via civil citation. To date, the Hamilton County Clerk of Courts does not have a process for accepting or adjudicating civil citations issued by Townships making it nearly impossible to enforce our local resolutions.

- Services provided by the Township under this model include: Administration, Development, EMS, Finance, Fire, Human Resources, Parks, Planning, Police, Roads, & Zoning.
- Annual budget for these operations: \$48M,
- Long term budget for these operations: \$52M per year

Non-home rule township: ORC 505

In its truest form, a non-home rule township is able to function as an extremely limited form of government as Townships are only required to provide the below services:

- Fire protection
- Road maintenance
- Cemetery maintenance

Currently, these services cost a total of \$7.7M annually (Fire protection only ~\$3.5M; Roads ~\$4M; Cemetery Maintenance ~\$0.2M) with an estimated long-term budget of \$8.2M per year. If the Township were to reduce its services to just these three areas, the property tax need of the Township could be reduced from 23.21 mills to 1.38 mills.

However, any reduction in taxes would be offset by a reduction in services. For example, the Township would not have zoning. Without zoning, there would be no rules against lawn parking, opening a business in a neighborhood, or even the expansion of the solid waste landfill. There would also be zero Township operated parks, leaving the Great Parks of Hamilton County as the only parks in our community (Great Parks requires residents to purchase an annual parking pass at a rate of \$10 to park in their parks). EMS services would be contracted out and providers would charge each individual user for the full cost of the service. Finally, there would not be any active police patrol in the community and the community would have to rely on the Sheriff’s ability to respond in to Colerain Township for calls for service.

Village: ORC 707.01

The state of Ohio allows for the incorporation of communities that have a population under 5,000 residents as “Villages”. Villages have additional powers under the Ohio Revised Code that are not offered to Townships. However, under current Ohio law, it is extremely unlikely that any portion of the Township could be divided to meet the requirements to incorporate as a Village. Fifty-one percent of all electors in the most recent gubernatorial election would be required to sign a petition to create a village. A village must be less than two square miles, have a population between 800 and 4,999, and have a total valuation of \$3,500 or more per capita. This area also cannot be within three miles of an existing incorporated place. Looking at the map and population densities of Colerain, it is not likely that a section of Colerain exists that can be incorporated as a village.

City: ORC 707.29

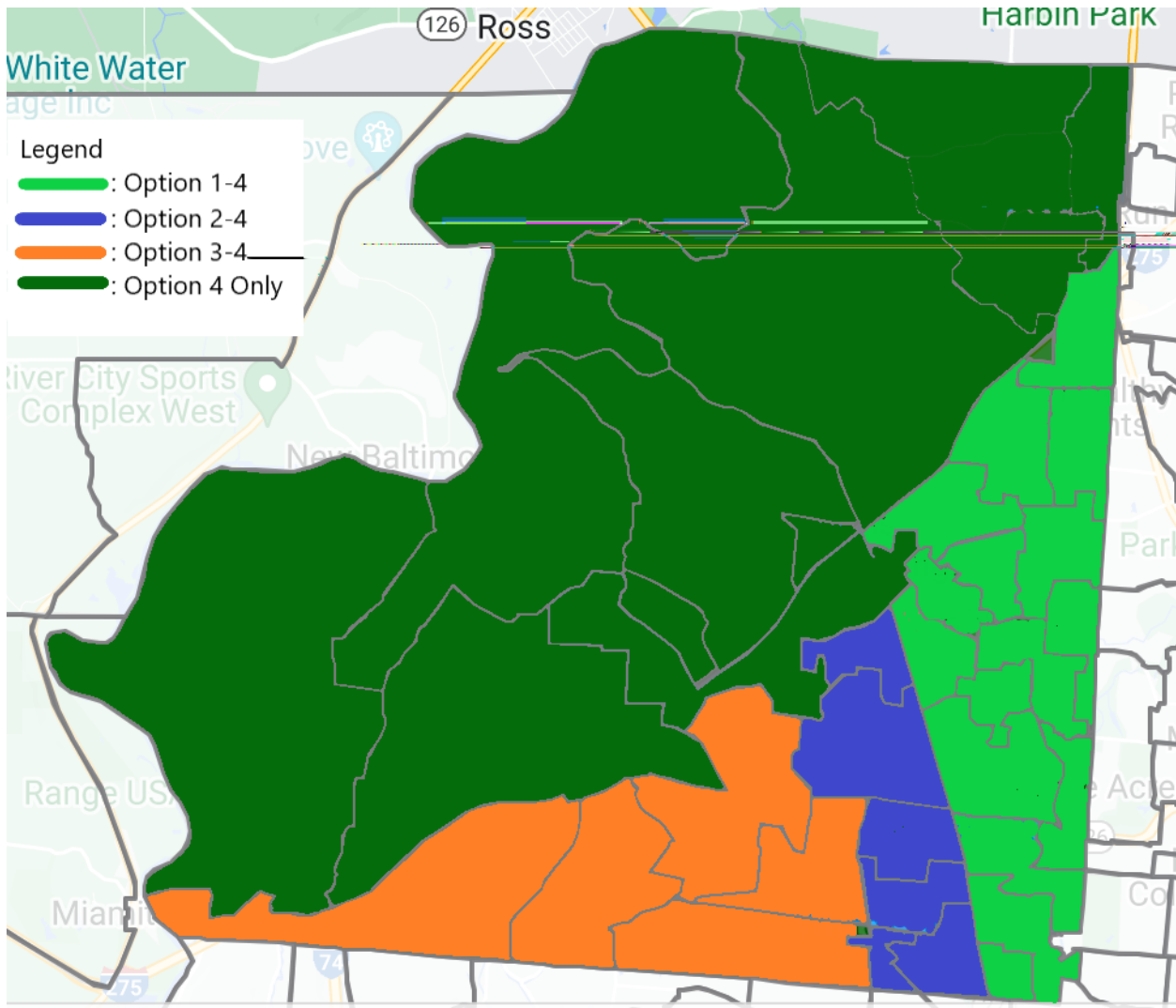
Another option for consideration for Colerain would be to explore incorporating as a new city. There are five criteria that must be met in order for a new city to be incorporated:

1. It must consist of at least four square miles;
2. It must have a population of at least 25,000 and a population density of at least 1,000 people per square mile;
3. It shall have an assessed valuation of real, personal, and public utility property subject to general property taxation of at least \$2,500 per capita;
4. It shall not completely surround an existing municipality; and
5. It shall be contiguous.

Colerain Township does meet all of the above requirements. In addition, portions of the Township would also meet the requirements listed above. For example, all of the Township inside of 275 and a blend of precincts east and west of Colerain Avenue would meet this criteria.

POTENTIAL WAYS TO INCORPORATE COLERAIN

	Precincts
Option 1	P, X, M, DD, C, Z, LL, KK, D, HH, W, T, B, Y, GG, CC
Option 2	`+ J, FF, R, V, N, O
Option 3	`+E, G, Q, AA, BB
Option 4	`+ S, H, F, A, L, I, U, II, EE, JJ



STATE REQUIREMENTS TO INCORPORATE

Option 1	Option 2	Option 3	Option 4	Criteria
Yes	Yes	Yes	Yes	Contain 4 Sq. Miles?
No	Yes	Yes	Yes	Population of at least 25,000 and density of 1,000/sq. mile?
Yes	Yes	Yes	Yes	Assessed Value of \$2,500 per capita?
Yes	Yes	Yes	Yes	Not surrounded by another municipality
Yes	Yes	Yes	Yes	Contiguous?

1,408 2,004 2,810 4,125 Signatures needed

Incorporation is done solely through a public petition process. There is no direct method by which the Trustees could place a petition of this manner on the ballot. The state outlines the below requirements for the petition:

1. Signatures of at least 20 percent of the electors in the territory to be incorporated, as determined by the number of votes cast in that territory for the office of governor at the last gubernatorial election.
2. A full description and accurate map of the territory to be incorporated.
3. A statement signed by the county auditor as to the total assessed valuation of the area.
4. A statement showing that the area meets all of the criteria listed above.
5. A statement by the Secretary of State that the name proposed in the petition is not being used by any other municipal corporation in the state.
6. The name of a person to act as an agent for the petitioners.
7. Additionally, the petition must conform to the requirements of R.C. 3501.38.

Residents of Colerain have expressed an interest in pursuing this strategy and have gone as far as to contact an attorney about developing a proper petition. However, they were quoted that the legal costs to develop a petition would be somewhere around \$50,000. If the Board did want to take an active role in this initiative, the Trustees could consider paying some or all of these costs.

There are a number of advantages to incorporation, including:

- Ability to host a Mayor's Court to enforce local rules and ensure payment of fines issued;
- Ability to expand local rules and resolutions;
- The ability to retain local earnings tax dollars in Colerain, as opposed to having them paid solely to other communities, creating a revenue stream that adjusts with inflation and allowing for reductions in property tax rates;
 - Retirement income, such as social security payments and pension income, is not taxed as part of an earnings tax;
- Local control over subdivision regulations;
 - For example, Sovereign and Dunlap Station would not have been required to connect to nearby existing streets;
 - The Township could have outright rejected Copper Creek and required the developer to engage in a more comprehensive fix prior to acceptance;
- The ability to host a local stormwater district;
 - This would reduce taxes for the Township by around \$500,000 per year;
- Eligible for more grants at the state and federal level that are only available to

incorporated places.

There are also a number of disadvantages to incorporation, including:

- An earnings tax for some residents that currently do not have one or pay one;
- Additional responsibilities for various state and county roads;
- Potential for more local regulations on issues such as discharging firearms on private property.

Merger: ORC 709.45

Currently, Westerville and Harlem Township are going through a process to merge their communities, as defined in the ORC. This is a seldom used strategy that allows a contiguous or non-contiguous municipality to join operations with a Township. In order to merge, the Township Trustees and merging City Council must adopt a resolution to place an issue on a ballot to consider the merger. If that ballot measure is approved by the voters, then the two communities will work through a process to develop a merger agreement that will define the terms of operation for the newly formed community.

It is important to note that under a merger, one of the two entities would need to conform their existing tax rates with that of an existing community. It is more likely than not that the higher tax level would be implemented. If the city has an earnings tax, then that tax would be a new tax on Township residents. However, many of the Township residents may already be paying the earnings tax depending on their work location. It is important to note that retirement income, such as social security payments and pension income, is not taxed as part of an earnings tax.

Limited Home Rule Township – Further Analysis

Colerain Township has traditionally levied increases in property taxes in order to fund police, fire, and EMS operations. Historically, all of these levies have covered the entire Township. However, there are two sections of the ORC that would allow for levy boundaries to be drawn in a way that does not cover the entire Township. ORC 505.371 allows for the creation of a separate fire district for taxing purposes that can be smaller than all of Colerain and limited to areas of the township that may have a higher demand for service. Similarly, ORC 505.48 allows for the township to create a “police district comprised of all or a portion of the unincorporated territory of the township as the resolution may specify”. These are important options to consider as the demand for service and willingness to pay for increased service is not equal across Colerain. The Township could consider having subdistricts with higher tax rates that then allow for enhanced patrol or staffing in those districts.

RECOMMENDATION

Staff seeks direction from the Board of Trustees on a long-term governance model and if additional exploration of any of these pathways is desired. If a new pathway is desired, staff recommends starting the conversation through the use of a public forum, public hearing, or other community input process.

OLD BUSINESS

Department: Administration

Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Discussion and Potential Action - 2864 Houston

Staff seeks direction on this issue.

Rationale:

This project was set to be completed on March 10th, per the original agreement and the extension previously granted by the Trustees. At the March 26th, 2024 meeting the Board of Trustees requested this item be moved to the April 23rd meeting for an update and continued conversation. Interior and exterior photos, as provided by the owner, are attached to this agenda item.









































































CONSENT ITEMS

Department: Administration

Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Contract - KZF - Zoning Resolution Amendment - \$0
Recommend approval of all consent items.

Rationale:
The attached is an amendment to the original contract with KZF for the adoption of a comprehensive update to the zoning resolution that would reflect the tenets of the recently approved comprehensive plan for the Township. This agreement is for zero cost and aligns the original scope of work with modified outcomes that were mutually agreeable to all parties.

- c. Staff/Stakeholder Feedback. We will create a supplementary form that we will distribute to staff and stakeholders which compiles comments about where they feel there is most opportunity for change or revision. We will also interview stakeholders.

Module 1: Diagnose (Months 2-3) - Completed

- a. Draft Diagnostic Report. At the close of the previous task, we will have an understanding of current planning practice in the Township and we will draft a Diagnostic Report that outlines exactly how the current Ordinance compares with the objectives for the built and natural environment. We undertake a thorough line-by-line analysis that provides detailed notes for every section within a matrix. The matrix scores the entire Ordinance, and the findings from this exercise are subsequently distilled and summarized within the Diagnostic Report.
- b. Prioritized List of Changes and Updates. As we finalize the Diagnostic Report, we will create a prioritized list of changes and updates. We will begin to uncover how zoning districts could be re-organized or updated. At the close of this task, we will provide the Township with the deliverables listed below.

Deliverables:

- Project website - The consultant team will collaborate with the Township to provide content to incorporate into your website
- Diagnostic Report accompanied by the line-by-line scoring matrix
- Outline of zoning district changes and map
- A draft table of contents which will display how we intend to re-organize the Ordinance
- A mock-up of the document design style for review

Module 2: Calibration (Months 3-6) - Completed

- a. Base Regulations. In the previous tasks, we outlined zoning district changes and created a prioritized list of updates for the Ordinance. We will lay out base regulations for the various sections of the Ordinance, like districts and generally applicable regulations within a table format which we call the "Calibration Table".
- b. Calibration Table. The Calibration module creates efficiencies; when we begin to draft new language, the base regulations will be fleshed out and the team can focus on the document text, graphics, and readability. This also gives the community the opportunity to be integrated into the process before there is a fully drafted document.
- c. Review & Test. We will hold an internal review of the Calibration Table with staff and then test the base regulations with residents and other stakeholders at a public forum. Our team will develop visual aids and educational materials to increase the efficacy of engagement, and ensure that we are adequately conveying how zoning affects everyday life. We will seek out community groups to engage, especially those that serve traditionally underrepresented populations.

- d. Diagrams & Graphics. When the calibration table is finalized, we will create graphics that will make the Ordinance more readable and user-friendly.

Deliverables:

- Draft Calibration Table
- Final Calibration Table

Meetings:

- Forum to review Base Regulations / Calibration Table

Module 3: Codification (Months 7-22)

- a. Ordinance Language. We recommend that as we undertake the drafting process, that we deliver the new Ordinance language in sections. We can work with you to prioritize section delivery. Some sections are intuitive to review together, like districts (which includes permitted uses) and special use standards.
- b. First Draft & Public Review Draft. When all sections have been drafted and reviewed by the project team, we will have the first draft ready for the public forum. We will have graphics completed at this time. We will work with staff to coordinate the public forum to review the document. We will create an inventory of feedback received during the forum and integrate it into the document and the map. The draft Ordinance should also be available online along with a means for submitting comments electronically.
- c. Final Draft. A public review draft will garner additional comments, after which we will produce a final draft of the Ordinance.
- d. Adoption. ~~Our team will attend adoption meetings, record comments/feedback, and make revisions as the new ordinance moves toward adoption.~~ Colerain Township will handle all necessary adoption meetings, presentations, hearings, etc. KZF can participate as an additional service if requested.
 - a. ~~Work sessions/training with the Board of Trustees are recommended prior to adoption meetings to review the content of the new ordinance. KZF can provide as an additional service if requested.~~
 - b. ~~Any meetings and/or hearings not specifically outlined in this proposal, including review meetings with staff, Zoning Commission, and Board of Trustees, can be provided as an additional service if requested.~~

Deliverables:

- Draft Ordinance (completed)
- Public Review Draft of Ordinance
- Final Ordinance

Meetings:

- Two (2) review meetings with Colerain Township staff
- ~~Forum to Review Draft Ordinance Language~~
- ~~Presentation of Draft Ordinance~~
- ~~Presentation of Final Ordinance (after all revisions from draft are made)~~
- ~~Adoption Meetings with Township Officials~~
- Staff training/ordinance review, or post- adoption services could be added as an additional scope item

SCHEDULE

Our schedule assumes receiving Notice to Proceed (NTP) at the September 13, 2022 Trustee Meeting:

Task	Timing	Est. Date
Project Kickoff	NTP + 3 days	9/14/2022
Project Initiation & Orientation	NTP + 31 days	10/15/2022
Module 1: Diagnose	NTP + 93 days	12/16/2022
Module 2: Calibration	NTP + 186 days	3/19/2023
Module 3: Codification	NTP + 686 days	7/31/2024
04/23/24	KZF review meeting to discuss proposed changes with Township	
06/06/24	KZF to submit Public Review Draft to Township	
06/18/24**	Public Hearing at Zoning Commission**	
06/18/24**	Recommendation for Adoption at Zoning Commission**	
07/02/24	KZF to submit Final Ordinance to Township	
07/09/24**	Public Hearing at Board of Trustees Meeting**	
07/18/24	KZF to incorporate Trustee feedback and submit Final Ordinance to Township	
07/23/24**	Adoption at Board of Trustees Meeting**	

*Dates/tasks indicated with ** above will be executed by Colerain Township*

BASIC SERVICE FEES

Project Initiation & Orientation	\$4,500
Module 1: Diagnose	\$18,000
Module 2: Calibration	\$22,500
Module 3: Codification	\$45,000
Estimated Reimbursable Expenses	\$2,000
TOTAL FEES	\$92,000

CLIENT RESPONSIBILITIES

1. Provide KZF a current copy of GIS files (electronic version), all levels available.
2. Provide KZF any previous reports, plans or other relevant documents.

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3. Promptly review and provide comments to KZF as drafts recommendations and maps are submitted. Also, advising the team on matters pertaining to public comments.
4. Coordinate, organize, host and facilitate/run any public involvement efforts.
5. Manage/facilitate stakeholder involvement to ensure participation at client review periods.

COMPENSATION

For the basic Scope of Services defined herein, KZF Design proposes a lump sum fee as described above. Additional services beyond the scope of this proposal will be billed on an hourly rate basis, with authorization by CLIENT.

KZF shall invoice every four weeks for the amounts due for professional services rendered and expenses incurred. Progress payments shall be based on the number of hours spent at date of invoice. In addition to the compensation for professional services, KZF shall be reimbursed for out-of-pocket expenses at cost plus ten percent (10%) fee for KZF's management and coordination. Reimbursables are estimated at \$2,000.

ADDITIONAL SERVICES (NOT INCLUDED IN THIS PROPOSAL)

In the event the Client requests additional services such as those described herein, they can be provided on an hourly rate basis in accordance with KZF Design's attached Hourly Rate Schedule HR-1880. Additional services available would include:

- Architecture, interior design or building design services
- Civil, traffic, site, electrical/lighting, structural, bridge or any other engineering services
- Mechanical or plumbing engineering services
- Schematic design, detailed design, or construction documentation
- Detailed engineering and site design of riverfront, terraces, access, etc.
- Land use analysis and zoning
- Survey, right-of-way plan development
- Geotechnical engineering
- Landscape architecture design services
- Bidding assistance and permitting
- Construction administration and inspection services
- Drone footage or photography
- Building evaluations/assessments
- Grant writing and administration
- Resource and environmental documentation

PRESUMPTIONS

- a) This proposal shall remain valid for sixty (60) calendar days.
- b) It is presumed that the CLIENT will coordinate meeting attendance and encourage participation from required personnel.
- c) It is presumed this project is a high-level planning project and does not include detailed design services for facility and infrastructure projects.
- d) All agency permitting is specifically excluded.
- e) Additional meetings beyond those specifically addressed are excluded.
- f) Geotechnical or hazardous materials investigations are excluded.
- g) Access will be granted for necessary field reviews. Escorts will be provided as needed.

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- h) It is understood that CLIENT will initiate agency coordination/consultation.
- i) It is understood that CLIENT will be the lead contact with the public and we will only provide informational support.
- j) CLIENT acknowledges that KZF cannot warrant that any construction cost estimates or estimated quantities provided by KZF shall not vary from actual costs incurred by the CLIENT.
- k) KZF has allotted time for CLIENT review in our proposal. If CLIENT is not able to provide the comments to the A/E Team per the schedule it will be necessary to extend the schedule for each day after the scheduled deadline that review comments are received by two (2) days. This extension is necessary in order to accommodate the loss of time with the overall schedule and to account for the required internal adjustment of staff schedules and other commitments.
- l) Existing drawings and GIS mapping shall be provided by CLIENT withing 14 days of project kick-off, so that KZF can produce base drawings for use during the project.
- m) KZF's fee is based on the proposed schedule and does not include cost that may be incurred if the project is delayed or suspended for reasons beyond KZF's control. If CLIENT delays or suspends the Project, through no fault of KZF, KZF shall be compensated for services performed prior to notice of such delay or suspension. When the Project is resumed, KZF shall be compensated for expenses incurred in the interruption and resumption of KZF's services. KZF's fees for the remaining services, and the time schedules to complete the work shall be equitably adjusted by approved Change Order prior to resuming work. KZF Staff will be reassigned during all delays or suspensions. Additional time to be added to the project schedule shall include time required for staff to complete alternate assignments, to remobilize staff to the project, to refamiliarize staff with the project, and if necessary, to make available and educate new staff to the project.

Terms and Conditions

KZF will endeavor to develop design documents that meet the requirements of the Project and will modify the documents as required to correct inconsistencies that may exist in that regard. It is our expectation that the Client will also provide a review of the documents for compliance with the Project requirements and advise KZF of any conflicts or discrepancies that exist prior to document release for construction. KZF will provide design services required to modify the design to meet the requirements of the Project.

Schedule Delays. KZF's fee is based on the schedule included in the proposal and does not include costs that may be incurred if the project is delayed or suspended for reasons beyond KZF's control. If the Owner or Contractor delays or suspends the Project, through no fault of KZF, KZF shall be compensated for services performed prior to notice of such delay or suspension. When the Project is resumed, KZF shall be compensated for expenses incurred in the interruption and resumption of KZF's services. KZF's fees for the remaining services, and the time schedules to complete the work, shall be equitably adjusted by approved Change Order prior to resuming work. KZF Staff will be reassigned during all delays or suspensions. Additional time to be added to the project schedule shall include time required for staff to complete alternate assignments, to re-mobilize staff to the project, to re-familiarize staff with the project, and if necessary, to make available and educate new staff to the project. In the event of termination not the fault of KZF, KZF shall be compensated for services performed prior to termination, Reimbursable Expenses incurred, and all costs attributable to termination, including costs attributable to KZF's termination of consultant agreements.

Consequential Damages. Notwithstanding any other provision to the contrary, and to the fullest extent permitted by law, neither Client nor KZF shall be liable to the other for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or the Project Agreement(s). This mutual waiver of consequential damages shall include, but not be limited to, loss of use, loss of profit, loss of business, loss of income, loss of profits, loss of reputation, loss of financing, or any other consequential damages that either party may have incurred from any cause of action whatsoever, whether arising in contract, warranty, tort (including negligence), strict liability or otherwise.

Dispute Resolution. Any claim, dispute or other matter in question arising out of or related to the Project or the Project Agreement(s) shall first be subject to non-binding mediation as a condition precedent to binding dispute resolution. The method of binding dispute resolution shall be litigation in a court of competent jurisdiction, unless all parties agree, in writing, to make the final results of the non-binding mediation, binding upon the parties.

Reimbursable Expenses. Expenses including but not limited to mileage, travel, overnight shipping mailing charges and printing are considered reimbursable and will be billed at cost plus 10% to the Owner or Contractor.

Invoicing. KZF shall invoice every four weeks for the amounts due for professional services rendered and expenses incurred. Owner or Contractor shall pay KZF the full amount due upon receipt of invoice. All past due amounts shall bear interest at the rate of one and one-half percent (1-1/2%) per month compounded monthly after sixty days. KZF Design reserves the right to suspend services and or not issue documents for permit approvals if the Owner or Contractor account is past due.

Liquidated Damages. KZF, (or any sub-consultants for whom KZF is contractually liable), shall not be held responsible for any costs or delays outside of its control, including but not limited to liquidated damages. The Client shall not withhold amounts from KZF's compensation to impose a penalty or liquidated damages on KZF, or to offset sums requested by or paid to contractors, sub-contractors or suppliers for the cost of changes in the Work, unless KZF agrees, in writing, or has been found liable for the amounts in a binding dispute resolution proceeding. Compensation due KZF which has not been specifically designated, in writing, by Client as being withheld due to KZF's performance or lack thereof, shall not be withheld by Client.

Ownership of Documents. KZF warrants that it is the copyright owner of its Instruments of Service. KZF grants to the Client a nonexclusive license to use KZF's Instruments of Service solely and exclusively for purposes of using, maintaining, altering and adding to the Project, provided the Client substantially performs its obligations under the Project Agreement(s), including prompt payment of all sums when due. In the event of Default by Client, if KZF rightfully terminates the Project Agreement(s) with Client for cause, the nonexclusive license shall terminate. The Client shall not assign, delegate, sublicense, pledge or otherwise transfer the nonexclusive license to another party without the prior written consent of KZF. Upon completion of the Project and payment of all sums due KZF, the Instruments of Service shall become the property of the Client..

Insurance Coverage. KZF will provide insurance coverage limits in the following amounts for this project. A copy of KZF's Certificate of Liability Insurance can be made available upon request.

A. Commercial General Liability

Personal & Adv Injury: \$2,000,000

Aggregate/\$1,000,000 each occurrence

Excess Umbrella: \$1,000,000 Aggregate/\$1,000,000 each occurrence

B. Professional Liability Claims: \$2,000,000
Aggregate/\$1,000,000 each claim

C. Comprehensive Automobile Liability
Bodily Injury & Property Damage: \$1,000,000
Combined Single Limit (each accident)

BIM Execution Plan and Use of CAD Files. KZF will use the KZF DESIGN 2019 BIM EXECUTION PLAN FOR PRIVATE MARKET PLACE PROJECTS to establish the protocols for the development, use, transmission and exchange of a native REVIT model or native AutoCAD files (the "CADD Files"). Any use of or reliance on all or a portion of the CADD Files shall be at the using or relying party's sole risk and without liability to KZF or its consultants. Differences may exist between these CADD Files and corresponding hard-copy Contract Documents prepared by KZF and/or its consultants. KZF and/or its consultants make no representation regarding the accuracy or completeness of the CADD Files. Furthermore, it is understood and agreed that the CADD Files being provided by KZF and/or its consultants are incomplete in-progress files that are not to be used for Construction purposes. Use of the CADD Files does not relieve the user of the CADD Files of their duty to confirm all as-built construction, confirm and coordinate all dimensions and details, take field measurements, verify field conditions, resolve any conflicts that may exist between the CADD Files and any existing facility, and coordinate your work with that of other entities for the Project. Under no circumstances shall delivery of the CADD Files for use by Client be deemed a sale by KZF and/or its consultants, and no warranties are made, either expressed or implied, of merchantability and fitness for any particular purpose. In no event shall KZF and/or its consultants be liable for any loss of profit, or any consequential damages, as a result of Client's use or reuse of the CADD Files.

Electronic File Transfer. KZF will provide copies of the Contract Documents in PDF and/or hard copy format, as provided for in the Project Agreement(s). If Client request native CADD files (REVIT or AutoCAD) for use by Contractor, Contractor's consultants, subcontractors or suppliers, Contractor and all entities receiving the native CADD files shall sign an Electronic File Transfer Agreement prior to release and use of the native CADD files. A draft copy of the Electronic File Transfer Agreement can be made available upon request.

Limitation of Liability. The Owner or Contractor agrees that to the fullest extent permitted by law, KZF's total liability to the Owner or Contractor for any and all injuries, claims, losses, expenses, damages, arising out of this Project Agreement(s) from any cause or causes shall not exceed KZF's fee or \$50,000, whichever is greater.

Assignment. Neither Client, nor KZF, shall assign the Project Agreement(s) without written consent of the other, except that Client may assign the Project Agreement(s) to a lender providing financing for the Project if the lender agrees to assume all of the Client rights and obligations under the Project Agreement(s), including any payments due to KZF by Client prior to the assignment. If Client requests KZF to execute certificates or consents, a draft copy of certificates or consents shall be submitted to KZF for review, comment and approval prior to the signing of the Project Agreement(s). KZF shall not be required to execute certificates or consents that would require knowledge, services or responsibilities beyond the scope of the Project Agreement(s) or beyond the scope of KZF's services.

Force Majeure: Notwithstanding anything to the contrary contained herein, KZF shall not be liable for any delays or failures in performance resulting from acts beyond its reasonable control including, without limitation, acts of God, terrorist acts, supply shortages, breakdowns, malfunctions of computer facilities, loss of data due to power failures or mechanical difficulties with information storage or retrieval systems, labor difficulties, war, or civil unrest.

Thank you for the opportunity to offer these services. This proposal and terms and conditions may be accepted by signing below and returning one executed copy to KZF Design. **We reserve the right to withhold our reports and project submittals until the signed Agreement has been received by KZF Design.** This document will serve as the notice to proceed and as our contract for services. This proposal is valid only if authorized within 60 days from the listed proposal date.

Sincerely,
KZF Design Inc.

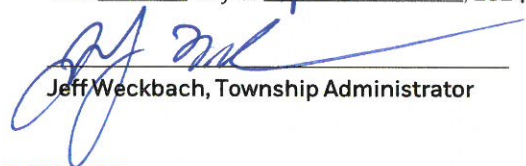


Eric Anderson, Director of Planning

APPROVED AND ACCEPTED

Colerain Township, Ohio

This 24th day of April, 2024



Jeff Weckbach, Township Administrator

KZF DESIGN INC. • 700 Broadway Street • Cincinnati, OH 45202
main 513.621.6211 • fax 513.621.6530 • kzf.com

2022 Hourly Rate Schedule

1/25/2022

Rates effective
through
12/31/2022

Category	Rate
Architect Level 1	\$130
Architect Level 3	\$200
Construction Administrator	\$190
Civil Designer Level 1	\$120
Civil Designer Level 3	\$140
Civil Engineer Level 1	\$120
Civil Engineer Level 3	\$190
Clerical	\$110
Designer Level 1	\$95
Designer Level 3	\$190
Electrical Designer 1	\$140
Electrical Designer 3	\$160
Electrical Engineer Level 1	\$150
Electrical Engineer Level 3	\$290
Interior Designer Level 1	\$100
Interior Designer Level 3	\$200
Mechanical Designer Level 1	\$110
Mechanical Designer Level 2	\$130
Mechanical Engineer Level 2	\$150
Mechanical Engineer Level 3	\$250
Planner Level 1	\$100
Planner Level 3	\$190
Principal	\$360
Project Manager Level 1	\$130
Project Manager Level 2	\$190
Project Manager Level 3	\$220
Structural Designer Level 1	\$110
Structural Designer Level 3	\$120
Structural Engineer Level 3	\$200

CONSENT ITEMS

Department: Administration

Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal: Strategic Goal #1: Chart a Pathway to Long-Term Financial Stability
Strategic Goal #2: Continue to Provide High Quality Safety Services
Strategic Goal #6: Make Progress on Deferred Maintenance and Reposition Existing Assets

Contract - Pepper Construction - Change Order No. 3 - \$117.36

Recommend approval of all consent items.

Rationale:

Pepper Construction had a change in project managers, due to staff turnover. There were a number of smaller items that needed to be addressed to fully close out the work being completed under the former project manager before transitioning to the new project manager. These changes are reflected in the \$117.36 change order.

Contingency Accounting:

Current:

Change Order 1: No change

Change Order 2: \$33,845.22

Change Order 3: \$117.36

New Contingency Total: \$266,037.42



CONTRACT DOCUMENT CHANGE ORDER

PROJECT INFORMATION: Colerain Fire Stations 26 and 102 Construction
4200 Springdale Road
Colerain Township, Ohio 45251

CONSTRUCTION MANAGER: Pepper Construction Company of Ohio, LLC
100 Williams Street
Cincinnati, Ohio 45215

CHANGE ORDER NUMBER: 03

DATE: February 28, 2024

ARCHITECT'S PROJECT NO:

CONTRACT DATE: 01/18/2023

CONTRACT FOR: Construction Manager

The Contract is changed as follows:

PCI 0049 – Bulletin 5 Pricing Station 102	\$5,895.36
PCI 0050 – Bulletin 5 Pricing Station 26	\$-5,778.00

Original Guaranteed Maximum Price:	\$ 1,899,647.00
Net change by previous change orders:	\$ 12,306,742.22
The Guaranteed Maximum Price prior to this change order:	\$ 14,206,389.22
The Guaranteed Maximum Price will be increased by this change order by:	\$ 117.36
The adjusted Guaranteed Maximum Price value after this change order:	\$ 14,206,506.58

Contract time will be Changed by Zero (0) calendar days.
The date of final completion resulting from this change order is 10/15/2024

Not valid until signed by the Owner and Contractor.

Emersion Design
ARCHITECT

310 Culvert St., Suite 100
Address

Cincinnati, OH 45202

DocuSigned by:

BY: _____

DATE: 3/19/2024

Pepper Construction Company - Ohio
CONTRACTOR

100 Williams Street
Address

Cincinnati, OH 45215

DocuSigned by:

BY: _____

DATE: 3/5/2024

Colerain Township - Ohio
OWNER

4200 Springdale Road
Address

Colerain Township, OH 45251

DocuSigned by:

BY: _____

DATE: 4/10/2024



Pepper Construction Company
411 Lake Zurich Road
Barrington IL 60010-3141

February 28, 2024

Jeff Weckbach
Owner of Record
Colerain Township
4200 Springdale Rd
Colerain Township OH 45251

RE: Colerain Fire Stations 26 & 102
#26 8282 Clara Ave. & #102 Generation Dr.
Colerain Twp OH 45251
Notice of Change - PCO # 00049

Dear Jeff Weckbach,

On February 20, 2024, Pepper Construction Company of Ohio, LLC was directed by Colerain Township to perform the following work that we consider extra to our Agreement:

Change Description: **The following pricing includes labor and material for Bulletin 5 changes that include:**
- Wall changes in the Locker Room
- Minor Concrete Changes

Proposed Adjustment: **5,895.36**

The terms of our Agreement preclude Pepper Construction Company of Ohio, LLC from performing any extra work without a signed Change Order as provided in the Contract. As a result, we are suspending activities associated with or affected by the aforementioned extra work pending receipt of a signed Change Order.

To facilitate the change process and avoid or minimize any impacts resulting from such suspension, we ask that you promptly sign this letter indicating your desired course of action by completing the following checklist. We will inform you of the additional time and time related impacts, if any, after we receive your direction in accordance with this letter.

Owner directs Contractor:

- () to proceed based upon this commitment by Owner to sign a Change Order with the proposed adjustment;
- () to continue to suspend its activities associated with and/or affected by such work while awaiting further direction from Owner;
- () to resume the Work without incorporating the aforementioned change.

Colerain Township

Jeff Weckbach
Owner of Record

Notice of Change - PCO # 00049
February 20, 2024

Item	Description	Amount Proposed	Contractor
	Concrete	1,575.00	Hayes Concrete
	Gypsum Drywall	4,022.36	Construction In
	Builders Risk	20.00	Combs Interior
	General Liability	51.00	Specialties Inc
	Misc Tax	15.00	
	Bond	31.00	

SDI	71.00
Fee	110.00
Total Amount:	5,895.36

Should you have any questions, please call me at 513-563-7700

Sincerely,
Pepper Construction Company of Ohio, LLC


Shawn Paige
Project Manager

Cc: Shawn Paige	Pepper Construction - Ohio	Project Manager of record	Fax #: 513-952-9059
Zac Humphries	Pepper Construction - Ohio	Superintendent of record	Fax #: 614 793-4465

HAYES

CONCRETE CONSTRUCTION, INC.

2120 Waycross Road
Cincinnati, Ohio 45240
PH (513)648.9400 FX (513)648-9777

February 26, 2024

To: Pepper Construction
100 Williams Street
Cincinnati, OH 45215
Attn: Shawn Paige

“VIA EMAIL & MAIL”
spaige@pepperconstruction.com

Re: **Colerain Fire Stations 26 & 102**
Change Order Request #4
Bulletin #5

Dear Shawn,

Labor, material and equipment to add/deduct Sidewalk per Bulletin #5. Includes deducting Sidewalk (+/- 540 sf) Building #026 and adding Sidewalk (+/- 155 sf) Building #102..Includes prep, concrete, granular, fiber mesh and labor. Includes Hayes Concrete OH&P.

DEDUCT Sum of: Three Thousand Nine Hundred Eleven Dollars (\$ 3,911.00)

BREAKDOWN

Bldg #026	(\$ 5,486.00)
Bldg #102	\$ 1,575.00

Shawn, if you have any further questions, please feel free to call. Thank You.

Respectfully submitted,
Hayes Concrete Construction Co., Inc.

Steven B Hawkins

Steve Hawkins
Sr. Project Manager

2120 Waycross Road

Cincinnati, Ohio 45240
www.hayes-concrete.com

513-648-9400 Office



Colerain Fire Station 102
Bulletin #5- Wall changes Locker rm 119 area

SUBCONTRACTOR CHANGE ORDER REQUEST

Subcontractor: Combs Interior Specialties

A. LABOR

Journeyman	<u>24.0</u>	Hours x	<u>\$63.82</u>	Rate =	\$1,531.68
Finsher	<u>10.0</u>	Hours x	<u>\$55.59</u>	Rate =	\$555.90
Foreman	<u></u>	Hours x	<u>\$66.30</u>	Rate =	\$0.00
Overtime	<u></u>	Hours x	<u></u>	Rate =	\$0.00
SUBTOTAL LABOR					<u>\$2,087.58</u>

B. MATERIAL & EQUIPMENT

	Lump Sum	or	Qty (ea)	Rate	
1	<u>See Attached</u>		<u>1</u>	<u>1394.98</u>	\$ 1,394.98
2	<u></u>		<u></u>	<u></u>	\$0.00
3	<u></u>		<u></u>	<u></u>	\$0.00
4	<u></u>		<u></u>	<u></u>	\$0.00
5	<u></u>		<u></u>	<u></u>	\$0.00
6	<u></u>		<u></u>	<u></u>	\$0.00
7	<u></u>		<u></u>	<u></u>	\$0.00
8	<u></u>		<u></u>	<u></u>	\$0.00
SUBTOTAL MATERIAL & EQUIPMENT					<u>\$1,394.98</u>

TOTAL A + B	<u>\$3,482.56</u>
OVERHEAD 10%*	<u>\$348.26</u>
Subtotal	<u>\$3,830.82</u>
TOTAL C	<u>\$0.00</u>
PROFIT 5%	<u>\$191.54</u>
** GRAND TOTAL	<u>\$4,022.36</u>

Purchasing Report

Colerain Fire Station 102

Bulletin #5

Bid No. 21

Selected Sections: 02000 14 Exterior Framing, 03000 30 Interior Wall Framing, 03600 42 Insulation, 03800 46 Caulking, 04000 50 Drywall Interior Walls, 04200 54 Drywall Special, 05000 58 Finishing Walls, 05200 62 Finishing Special

Selected Typical Areas:

Selected Areas: (unassigned)

Estimator:

Job Class:

Wage Type: **Dayton/Cincy PW**

Job Site: Colerain Fire Station #102, Generation Drive, Cincinnati, Ohio 45251

Job Status:

Bid Date/Time: **8/30/2023 12:00:00 PM**

Plans Date: **8/18/2023**

Materials	Quantity	Pieces	Ordered	Quoted	Paid	Total
90.02						
3-5/8" 18ga M.Track (Top), 10' (ETT35818)	34.21 LF	0.34 Bundles		1.23 / 1 LF		42.08
6" 16ga M.Track 5" Leg (Top), 12' (ETT616L5)	26.58 LF	0.22 Bundles		5.98 / 1 LF		158.84
90.04						
3 5/8" 20ga M.Track (Bot)-30 MIL (sizes 2) (IBT35820)	13.88 LF	0.17 Bundles		0.89 / 1 LF		12.35
6" 20ga M.Track (Bot)-30 MIL, 12' (IBT620)	26.58 LF	0.22 Bundles		1.23 / 1 LF		32.70
3 5/8" 20ga Metal Studs-30 MIL (sizes 2) (IS35820)	-54.90 LF	11.79 Pieces		0.90 / 1 LF		-49.13
6" 20ga Metal Studs-30 MIL, 20' (IS620)	451.92 LF	22.60 Pieces		1.24 / 1 LF		558.12
3 5/8" 20ga M.Track (Top)-30 MIL, 12' (ITT35820)	-20.33 LF	-1.69 Pieces		0.89 / 1 LF		-18.10
3 5/8" 20ga 5" Leg M.Track (Top)-30 MIL, 12' (ITT358202)	-20.33 LF	-1.69 Pieces		6.20 / 1 LF		-126.07
6" 20ga M.Track (Top)-30 MIL, 12' (ITT620)	26.58 LF	0.22 Bundles		1.23 / 1 LF		32.70
90.05						
Acoustical Sealant, 1' (CAS)	93.42 LF	0.47 Tube(s)		0.20 / 1 LF		18.68
3-1/2" R11 Batts 16"o.c. (sizes 2) (INR11B16)	-406.67 SF	-12.20 Pieces		0.35 / 1 SF		-140.30
6" R19 Batts 16"o.c., 1' 4" x 25' (INR19B16)	531.67 SF	15.95 Pieces		0.49 / 1 SF		257.86
Top of Wall Firesafing, 2' (INTWFS)	6.25 LF	0.78 Pieces		0.25 / 1 LF		1.56
90.06						
5/8" Abuse Resistant (sizes 2) (D58AR)	115.67 SF	1.56		0.76 / 1 SF		87.91
5/8" High Impact Fire Rated, 4' x 12' (D58HIX)	319.00 SF	6.65		0.95 / 1 SF		303.05
5/8" Moisture Res. Gyp. Bd., 4' x 10' (D58MGB)	342.08 SF	8.55 Sheets		0.56 / 1 SF		191.57
5/8" Fire Code Drywall, 4' x 10' (D58X)	-203.33 SF	-5.08 Sheets		0.47 / 1 SF		-95.57
No-Coat Cornerbead, 8' (DSBEADNOCOAT)	0.00 LF	0.00		0.49 / 1 LF		0.00
5/8" Firecode above ceiling under 4' (sizes 2) (DSTOH)	140.67 SF	8.21 Sheets		0.47 / 1 SF		66.11
90.07						
Joint Compound (62 pds) (FMUD)	1.57 EA	1.57 Buckets		20.50 / 1 EA		32.27
250' Roll of Tape (FTAPE)	1.43 EA	1.43 Roll(s)		3.10 / 1 EA		4.43
90.12						
1-1/4" Drywall Screws (D114DWS)	740.10 EA	0.07		0.01 / 1 EA		6.29
Bottom Track Fastener (DBTF)	40.46 EA	0.04		0.15 / 1 EA		6.07
Framing Screws (DFS)	68.78 EA	0.02		0.08 / 1 EA		5.50
Top Track Fastener (DTTF)	40.46 EA	0.04		0.15 / 1 EA		6.07
Materials Total:						1,394.98

Purchasing Report

Colerain Fire Station 102

Bulletin #5

Bid No. 21

Total for Accepted ChangeOrder(s) 0.00

Grand Total: 1,394.98



Pepper Construction Company
411 Lake Zurich Road
Barrington IL 60010-3141

February 28, 2024

Jeff Weckbach
Owner of Record
Colerain Township
4200 Springdale Rd
Colerain Township OH 45251

**RE: Colerain Fire Stations 26 & 102
#26 8282 Clara Ave. & #102 Generation Dr.
Colerain Twp OH 45251
Notice of Change - PCO # 00050**

Dear Jeff Weckbach,

On February 20, 2024, Pepper Construction Company of Ohio, LLC was directed by Colerain Township to perform the following work that we consider extra to our Agreement:

Change Description: **The following pricing includes a credit back to the owner for sidewalk not needed per Colerain Zoning Department.**

Proposed Adjustment: **-5,778.00**

The terms of our Agreement preclude Pepper Construction Company of Ohio, LLC from performing any extra work without a signed Change Order as provided in the Contract. As a result, we are suspending activities associated with or affected by the aforementioned extra work pending receipt of a signed Change Order.

To facilitate the change process and avoid or minimize any impacts resulting from such suspension, we ask that you promptly sign this letter indicating your desired course of action by completing the following checklist. We will inform you of the additional time and time related impacts, if any, after we receive your direction in accordance with this letter.

Owner directs Contractor:

- () to proceed based upon this commitment by Owner to sign a Change Order with the proposed adjustment;
- () to continue to suspend its activities associated with and/or affected by such work while awaiting further direction from Owner;
- () to resume the Work without incorporating the aforementioned change.

Colerain Township

Jeff Weckbach
Owner of Record

Notice of Change - PCO # 00050
February 20, 2024

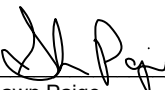
Item	Description	Amount Proposed	Contractor
	Concrete	-5,486.00	Hayes Concrete Construction Inc
	Builders Risk	-19.00	
	General Liability	-50.00	
	Misc Tax	-14.00	
	Bond	-31.00	
	SDI	-70.00	
	Fee	-108.00	

-5,778.00

Total Amount:

Should you have any questions, please call me at 513-563-7700

Sincerely,
Pepper Construction Company of Ohio, LLC



Shawn Paige
Project Manager

Cc: Shawn Paige	Pepper Construction - Ohio	Project Manager of record	Fax #: 513-952-9059
Zac Humphries	Pepper Construction - Ohio	Superintendent of record	Fax #: 614 793-4465

HAYES

CONCRETE CONSTRUCTION, INC.

2120 Waycross Road
Cincinnati, Ohio 45240
PH (513)648.9400 FX (513)648-9777

February 26, 2024

To: Pepper Construction
100 Williams Street
Cincinnati, OH 45215
Attn: Shawn Paige

“VIA EMAIL & MAIL”
spaige@pepperconstruction.com

Re: **Colerain Fire Stations 26 & 102**
Change Order Request #4
Bulletin #5

Dear Shawn,

Labor, material and equipment to add/deduct Sidewalk per Bulletin #5. Includes deducting Sidewalk (+/- 540 sf) Building #026 and adding Sidewalk (+/- 155 sf) Building #102..Includes prep, concrete, granular, fiber mesh and labor. Includes Hayes Concrete OH&P.

DEDUCT Sum of: Three Thousand Nine Hundred Eleven Dollars (\$ 3,911.00)

BREAKDOWN

Bldg #026	(\$ 5,486.00)
Bldg #102	\$ 1,575.00

Shawn, if you have any further questions, please feel free to call. Thank You.

Respectfully submitted,
Hayes Concrete Construction Co., Inc.

Steven B Hawkins

Steve Hawkins
Sr. Project Manager

2120 Waycross Road

Cincinnati, Ohio 45240
www.hayes-concrete.com

513-648-9400 Office

Certificate Of Completion

Envelope Id: 1D0C274C0FC84F5DAD96F22AEF2AB50E

Status: Completed

Subject: Complete with DocuSign: 2201241 - Colerain Fire Stations_Change Order No. 3.pdf

Source Envelope:

Document Pages: 10

Signatures: 3

Certificate Pages: 5

Initials: 0

AutoNav: Enabled

Envelopeld Stamping: Disabled

Time Zone: (UTC-06:00) Central Time (US & Canada)

Envelope Originator:

Rhonda Holycross

643 N Orleans St

Chicago, IL 60654

rholycross@pepperconstruction.com

IP Address: 216.196.182.187

Record Tracking

Status: Original

3/5/2024 7:22:03 AM

Holder: Rhonda Holycross

rholycross@pepperconstruction.com

Location: DocuSign

Signer Events

Jerry Noble

JNoble@pepperconstruction.com

VP, Regional Director

Security Level: Email, Account Authentication
(None)**Signature**

DocuSigned by:


23C82C22AC924F0...

Signature Adoption: Pre-selected Style

Using IP Address: 216.196.182.187

Timestamp

Sent: 3/5/2024 7:23:19 AM

Viewed: 3/5/2024 7:28:56 AM

Signed: 3/5/2024 7:29:12 AM

Electronic Record and Signature Disclosure:

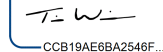
Not Offered via DocuSign

Tim Wiley

tim.wiley@emersiondesign.com

Security Level: Email, Account Authentication
(None)

DocuSigned by:


CCB19AE6BA2546F...

Signature Adoption: Drawn on Device

Using IP Address: 137.83.109.178

Sent: 3/5/2024 7:29:14 AM

Resent: 3/8/2024 7:42:06 AM

Resent: 3/12/2024 7:29:52 AM

Resent: 3/12/2024 10:37:22 AM

Viewed: 3/19/2024 12:45:01 PM

Signed: 3/19/2024 12:45:17 PM

Electronic Record and Signature Disclosure:

Accepted: 3/12/2024 7:23:42 AM

ID: 7e41da56-3aad-40d3-ad9e-52118b5ad14c

Jeff Weckbach

jweckbach@colerain.org

Administrator

Security Level: Email, Account Authentication
(None)

DocuSigned by:


72BE3965FB27449...

Signature Adoption: Pre-selected Style

Using IP Address: 66.161.212.226

Sent: 3/19/2024 12:45:18 PM

Resent: 3/27/2024 6:42:24 AM

Resent: 3/27/2024 6:49:36 AM

Resent: 3/27/2024 8:46:21 AM

Viewed: 4/1/2024 7:52:23 AM

Signed: 4/10/2024 7:00:53 AM

Electronic Record and Signature Disclosure:

Accepted: 3/27/2024 7:15:04 AM

ID: 6ca32603-f44d-43b3-9aca-7e9e3475679f

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp**

Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	3/5/2024 7:23:19 AM
Envelope Updated	Security Checked	3/27/2024 6:49:35 AM
Envelope Updated	Security Checked	3/27/2024 6:49:35 AM
Certified Delivered	Security Checked	4/1/2024 7:52:23 AM
Signing Complete	Security Checked	4/10/2024 7:00:53 AM
Completed	Security Checked	4/10/2024 7:00:53 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	•Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

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CONSENT ITEMS

Department: Fire
Department Director: Allen Walls, Fire Chief

Strategic Plan Goal: Strategic Goal #2: Continue to Provide High Quality Safety Services

Promotion - Full-time Firefighter/EMT - Department of Fire and EMS - Chris Billups - \$22.43 per Hour
Recommend approval of all consent items.

Rationale:
The position of Firefighter/Paramedic was posted, applications were received, and interviews were conducted. A conditional offer of employment has been extended to the following individual:

- Chris Billups

The wage for this job is \$22.43 per hour for 52 hours per week. Contingent upon Board approval, he would be eligible to begin work on April 29, 2024.

CONSENT ITEMS

Department: Fire
Department Director: Allen Walls, Fire Chief

Strategic Plan Goal: Strategic Goal #2: Continue to Provide High Quality Safety Services

Promotion - Full-time Firefighter/Paramedic - Department of Fire and EMS - Jachyn (Jake) Laney - \$25.40 per Hour
Recommend approval of all consent items.

Rationale:
The position of Firefighter/Paramedic was posted, applications were received, and interviews were conducted. A conditional offer of employment has been extended to the following individual:

- Jachyn (Jake) Laney

The wage for this job is \$25.40 per hour for 52 hours per week. Contingent upon Board approval, he would be eligible to begin work on May 14, 2024.

CONSENT ITEMS

Department: Public Services
Department Director: Tiphonie Mays, Assistant Administrator

Strategic Plan Goal: Strategic Goal #4: Expand Recreational Opportunities for all Ages

New Hire - PT Seasonal Maintenance - Public Services Department

1. Matthew Moore - \$15/hour
2. Benjamin Broughton - \$14/hour
3. Jennifer Ashleman - \$14/hour

Recommend approval of all consent items.

Rationale:

The position of Seasonal Maintenance Worker was posted, applications were received and interviews conducted. A conditional offer of employment was extended to the following individuals:

1. Matthew Moore - \$15/hour
2. Benjamin Broughton - \$14/hour
3. Jennifer Ashleman - \$14/hour

Contingent upon Board approval, these employees would be eligible to begin work on April 24, 2024.

CONSENT ITEMS

Department: Administration
Department Director: Tiphanie Mays, Assistant Administrator

Strategic Plan Goal: Strategic Goal #4: Expand Recreational Opportunities for all Ages

New Hire - Summer Camp Counselor - Public Services

- 1. Morgan Memory - \$12.50/hour
- 2. Sophia Ward - \$12.00/hour
- 3. Shezaiyah McKinney - \$12.00/hour
- 4. Madelyn Skoumbros - \$12.00/hour

Recommend approval of all consent items.

Rationale:

The position of Summer Camp Counselor was posted, applications were received and interviews conducted. A conditional offer of employment was extended to the following individuals:

- 1. Morgan Memory - \$12.50/hour
- 2. Sophia Ward - \$12.00/hour
- 3. Shezaiyah McKinney - \$12.00/hour
- 4. Madelyn Skoumbros - \$12.00/hour

Contingent upon Board approval, these employees would be eligible to begin work on April 24, 2024.